



भारत का राजपत्र The Gazette of India

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सं० 9]

नई दिल्ली, शनिवार, फरवरी 26, 1994/फाल्गुन 7, 1915

No. 9]

NEW DELHI, SATURDAY, FEBRUARY 26, 1994/PHALGUNA 7, 1915

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में
रखा जा सके

Separate Paging is given to this Part in order that it may be filed as a
separate compilation

भाग II—खण्ड 3—उप-खण्ड (II) PART II—Section 3—Sub-Section (II)

भारत सरकार के मंत्रालयों (रक्षा मंत्रालय को छोड़कर) द्वारा जारी किए गए संपिद्धि आदेश और अधिसूचनाएँ
Statutory Orders and Notifications issued by the Ministry of the Government of India (other than
Ministry of Defence)

गृह मंत्रालय

नई दिल्ली, 11 फरवरी, 1994

क्र. भा. 537 -- केन्द्रीय सरकार राजभाषा (राज्य के शासकीय प्रयोजनों के लिए प्रयोग) नियम, 1976 के नियम 10 के उप नियम (4) के अनुसरण में गृह मंत्रालय के निम्नलिखित कार्यालय में हिन्दी का कार्यसाधक ज्ञान रखने वाले कर्मचारियों की संख्या 80 प्रतिशत से अधिक हो जाने के फलस्वरूप उसे एतद्वारा अधिसूचित करती है:-

सरदार बल्लभभाई पटेल राष्ट्रीय पुलिस अकादमी, हैदराबाद ।

[सं.-12017/1/94--हिन्दी]

बद्री सिंह, निदेशक, (रा. भा.)

MINISTRY OF HOME AFFAIRS

New Delhi, the 11th February, 1994

S.O. 537.—In pursuance of Sub-Rule (4) of Rule 10 of the Official Languages (Use for the Official Purposes of the Union) Rules, 1976, the Central Government hereby notifies the following office of the Ministry of Home Affairs where the percentage of Hindi knowing staff has gone above 80 percent :—

Sardar Vallabh Bhai Patel National Police Academy,
Hyderabad.

[No. 12017/1/94-Hindi]

BADRI SINGH, Director (O.I.)

कार्मिक, लोक शिवालय तथा पेंशन मंत्रालय

(कार्मिक और प्रशिक्षण विभाग)

आदेश

नई दिल्ली, 28 जनवरी, 1994

क्र. भा. 538 -- केन्द्रीय सरकार, दिल्ली विशेष पुलिस स्थापन अधिनियम, 1946 (1946 का अधिनियम सं. 25) की धारा 6 के साथ पठित धारा 5 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, आन्ध्र प्रदेश राज्य सरकार की सहमति से जो होम (एस. सी. ए.) विभाग जो. ओ. धार. टी. सं.-1305 तारीख 27-5-1993 द्वारा दी गई थी, केन्द्रीय जांच ब्यूरो द्वारा रजिस्ट्रीकरण धार. सी. 5 (एस.) 92--हैदराबाद में नीचे तथा उपरिष्ठ अपराधों का और एक या अधिक अपराधों का तथा उन्हीं तथ्यों से उद्भूत उमी संव्यवहार के अनुक्रम में किए गए किसी अन्य अपराध या अपराधों के संबंध में या

उपरोक्त संसद प्रयत्नों, दुष्प्रवृत्तियों और षड्यंत्रों के अन्वेषण के लिए दिल्ली विशेष पुलिस स्थापन के सदस्यों की शक्तियों और अधिकारिता का विस्तार संपूर्ण आन्ध्र प्रदेश राज्य पर करती है।

नाम और पता	विधि की धारा
श्रीया शिराजन श्रीनिवास	पासपोर्ट अधिनियम की धारा 3,
पुत्र स्वर्गीय वार्ड. ओहुरि,	10(3) (क) (ख), धारा
मूलतः : मेल्बोर्का निवासी,	12(1) (ख) (घ) धारा
वर्तमान में प्लॉट सं. 58,	12(2) और भारतीय दण्ड
जे एम. टी. यू. के संघ का	संहिता की धारा 468 और
निवासी कुकटपल्ली, हैदराबाद।	109

[संख्या-228/9/92-ए. बी. डी. (ii)]

आर. एस. बिष्ट, अवर सचिव

MINISTRY OF PERSONNEL, P.G. & PENSIONS
(Deptt. of Personnel & Training)

ORDER

New Delhi, the 28th January, 1994

S.O. 538.—In exercise of the powers conferred by sub-section (1) of Section 5 read with Section 6 of the Delhi Special Police Establishment Act, 1946 (Act No. 25 of 1946), the Central Government with the consent of the State Government of Andhra Pradesh vide Home (SC-A)/Department G. O. Rt. No. 1305 dated 27-5-93 hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment to the whole of the State of Andhra Pradesh for investigation of the offences in RC. 5(s)/92-Hyd. registered by the Central Bureau of Investigation as indicated below and attempts, abetments and conspiracies in relation to or in connection with one or more of the offences and any other offence or offences committed in the course of the same transaction arising out of the same facts.

Name & Address	Section of Law
Sriyathirajan Srinivas s/o Late Y. Srihari, Originally native of Nellore presently residing at plot No. 56 Near JNTU, 468, and 109 Indian Pen Kukatpally, Hyderabad.	Under Section 3, 10, (3) (a)(b) Sec. 12(1)(b)(d) Sec. 12(2) of Indian Passport Act and Sec. Code.

[No. 228/9/92-AVD.II]

R. S. BISHT, Under Secy

विश्व मंत्रालय
(राजस्व विभाग)

आदेश

नई दिल्ली, 4 फरवरी, 1994

स्टाम्प

क्र. आ. 589 -- भारतीय स्टाम्प अधिनियम, 1899 (1899 का 2) की धारा 9 की उप-धारा (1) के खण्ड (क) द्वारा प्रवक्तृत्वों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा उक्त शूलक को माफ करती है जो कि, भारतीय स्टेट बैंक, केन्द्रीय कार्यालय, बम्बई द्वारा जारी किए जाने वाले सात एक हजार करोड़ रु. के मूल्य के प्रोमिसरी नोटों (12 प्रतिशत की स्मृतम दर पर 1000 करोड़ रु. के दस वर्षीय भारतीय स्टेट बैंक बंधपत्र) की प्रकृति के बंध पत्रों पर उक्त अधिनियम के अन्तर्गत प्रमाण्य है।

[सं. 9/94--स्टाम्प--फा. सं. 33/61/93--वि. क.]

आत्मा राम, अवर सचिव

MINISTRY OF FINANCE
(Department of Revenue)

ORDER

New Delhi, the 4th February, 1994

STAMPS

S.O. 539.—In exercise of the powers conferred by clause (a) of sub-section (1) of section 9 of the Indian Stamp Act, 1899 (2 of 1899), the Central Government hereby remits the duty with which the bonds in the nature of promissory notes—(10 years-SBI Bonds for Rs. 1000 crores at minimum rate of interest twelve percent) of the value of rupees One thousand crores only to be issued by State Bank of India, Central Office, Bombay are chargeable under the said Act.

[No. 5/94-Stamps-F. No. 33/61/93-ST]

ATMA RAM, Under Secy.

आदेश

नई दिल्ली, 4 फरवरी, 1994

स्टाम्प

क्र. आ. 540 -- भारतीय स्टाम्प अधिनियम 1899 (1899 का 2) की धारा 9 की उप-धारा (1) के खण्ड (क) द्वारा प्रवक्तृत्वों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा उक्त शूलक को माफ करती है जो कि राष्ट्रीय आवास बैंक द्वारा जारी किए जाने वाले सात बीस करोड़ रु. के मूल्य के 13 प्रतिशत 15 वर्षीय राष्ट्रीय आवास बैंक (पाचवी शृंखला) प्रोमिसरी नोटों की प्रकृति के बंध पत्रों पर उक्त अधिनियम के अन्तर्गत प्रमाण्य है।

[सं. 2/93--स्टाम्प--फा. सं. 33/20/93--वि. क.]

आत्मा राम, अवर सचिव

ORDER

New Delhi, the 4th February, 1994

STAMPS

S.O. 540.—In exercise of the powers conferred by clause (a) of sub-section (1) of section 9 of the Indian Stamp Act, 1899 (2 of 1899), the Central Government hereby remits the duty with which the bonds in the nature of promissory notes—13.00 per cent—15 years National Housing Bank (Fifth Series) of the value of rupees forty five crores only to be issued by National Housing Bank are chargeable under the said Act.

[No. 2/93-Stamps-F. No. 33/20/93-ST]

ATMA RAM, Under Secy.

आदेश

नई दिल्ली, 4 फरवरी, 1994

स्टाम्प

क्र. आ. 541 -- भारतीय स्टाम्प अधिनियम, 1899 (1899 का 2) की धारा 9 की उप-धारा (1) के खण्ड (क) द्वारा प्रवक्तृत्वों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा उक्त शूलक को माफ करती है जो ग्रामीण विद्युतीकरण निगम, लि., नई दिल्ली द्वारा जारी किए जाने वाले सात मिलियन करोड़ रुपए के कुल मूल्य के 12 प्रतिशत विनोदय आर. ई. नी.वाण्ड, 2011 तथा 2012 (23वी शृंखला) के ऋणपत्रों के स्वरूप में बन्धपत्र उक्त अधिनियम के अन्तर्गत प्रमाण्य है।

[सं. 3/94--स्टाम्प--फा. सं. 33/42/93--वि. क.]

आत्मा राम, अवर सचिव

ORDER

New Delhi, the 4th February, 1994

STAMPS

S.O. 541.—In exercise of the powers conferred by clause (a) of sub-section (1) of section 9 of the Indian Stamps Act, 1899 (2 of 1899), the Central Government hereby remits the duty with which the bonds in the nature of debentures—12 per cent Redeemable R.E.C. Bonds 2011 and 2012 (23rd Series) of the total value of Rs. 53 crores only issued by the Rural Electrification Corporation Limited, New Delhi are chargeable under the said Act.

[No. 3/94-Stamps-F. No. 33/42/93-ST]

ATMA RAM, Under Secy.

आदेश

नई दिल्ली, 7 फरवरी, 1994

स्टाम्प

का. आ. 542.—भारतीय स्टाम्प अधिनियम, 1899 (1899 का 2) की धारा 9 की उपधारा (1) के खंड (क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार द्वारा उक्त गूलर की माफ करती है, जो भारतीय लघु उद्योग विकास बैंक द्वारा जारी किए जाने वाले मात्र एक सौ पच्चीस करोड़ रुपये के मूल्य के प्रॉमिसरी नोटों के स्वरूप में बंधपत्रों—13.5 प्रतिशत भारतीय लघु उद्योग विकास बैंक 2003 (चौथी श्रृंखला) के रूप में उक्त अधिनियम के अंतर्गत प्रसारित हैं।

[स. 4/94--स्टाम्प--का. सं. 33/60/93-वि. क.]

आत्मा राम, अवर सचिव

ORDER

New Delhi, the 7th February, 1994

STAMPS

S.O. 542.—In exercise of the powers conferred by clause (a) of sub-section (1) of section 9 of the Indian Stamps Act, 1899 (2 of 1899), the Central Government hereby remits the duty with which the bonds in the nature of promissory notes—13.5 per cent SIDBI 2003 (Fourth Series) of the value of rupees One hundred and twenty five crores only issued by Small Industries Development Bank of India are chargeable under the said Act.

[No. 4/94-Stamps-F. No. 33/60/93-ST]

ATMA RAM, Under Secy.

आदेश

नई दिल्ली, 9 फरवरी, 1994

का. आ. 543.—भारत सरकार के संयुक्त सचिव ने, जिसे विदेशी मुद्रा संरक्षण और नक्करी निवारण अधिनियम, 1974 (1974 का 52) की धारा 3 की उपधारा (1) के अधीन विशेष रूप से सशक्त किया गया है, उक्त उपधारा के अधीन आदेश का. सं. 673/695/89--सं. शु.-8 दिनांक 7-12-1989 को यह निदेश जारी किया था कि श्री अमर हुसन मंगहार उर्फ अमर मन्डार माफारी धारा जाम सामाई जिला जाम नगर, गुजरात को निरुद्ध कर लिया जाए और केन्द्रीय कारागार साधरमती में अभिरक्षा में रखा जाए ताकि उसे ऐसा कोई भी कार्य करने से रोका जा सके जो विदेशी मुद्रा के मान को नुक़्करी करने के लिए हानिकारक हो।

2. केन्द्रीय सरकार के पास यह विश्वास करने का कारण है कि पूर्वोक्त व्यक्ति फरार हो गया है या अपने को छिपा रहा है जिससे उक्त आदेश का निष्पादन नहीं हो सके;

3. अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 7 का उपधारा (1) के खण्ड (ख) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निदेश देती है कि पूर्वोक्त व्यक्ति इस आदेश के शासकय राजपत्र में प्रकाशन के 7 दिन के भीतर निदेशक जनरल, पुलिस, गुजरात, ग्रहमवाबाव के समक्ष हाजिर हो।

[का. सं. 673/695/89--सं. शु.-8]

जे. एल. साहनी, अवर सचिव

ORDER

New Delhi, the 9th February, 1994

S.O. 543.—Whereas the Joint Secretary to the Government of India, specially empowered under sub-section (1) of section 3 of the Conservation of Foreign Exchange and Prevention of Smuggling Activities Act, 1974 (52 of 1974) issued order F. No. 673/695/89-Cus. VIII dated 7-12-1989 under the said sub-section directing that Shri Amad Hasan Sanghar @ Amad Bhandari Satari Dhora, Jam Salaya, Distt. Jamnagar, Gujarat, be detained and kept in custody in the Central Prison, Sabarmati, Ahmedabad, with a view to preventing him from smuggling goods in future.

2. Whereas the Central Government has reasons to believe that the aforesaid person has absconded or is concealing himself so that the order cannot be executed;

3. Now, therefore, in exercise of the power conferred by clause (b) of sub-section (1) of Section 4 of the said Act, the Central Government hereby directs the aforesaid person to appear before the Dir. Gen. of Police, Gujarat, Ahmedabad within 7 days of the publication of this order in the official Gazette.

[F. No. 673/695/89-CUS.VIII]

J. L. SAWHNEY, Under Secy.

आदेश

नई दिल्ली, 9 फरवरी, 1994

का. आ. 544.—भारत सरकार के संयुक्त सचिव ने, जिसे विदेशी मुद्रा संरक्षण और नक्करी निवारण अधिनियम, 1974 (1974 का 52) की धारा 3 की उपधारा (1) के अधीन विशेष रूप से सशक्त किया गया है, उक्त उपधारा के अधीन आदेश का. सं. 673/695/89--सं. शु.-8 दिनांक 7-1-1993 को यह निदेश जारी किया था कि श्री अब्दुल जम्बर मुयुल श्री शहुल हमीद सं. 4 डी. डी. एम. जार्ज द्विपलाकेन मद्रास-5 (2) मार्फत थोमस शामशद बेगम 6/53, सासई स्टेट, किलाकारै, रामनरुड डिस्ट्रिक्ट, मद्रास-5 (3) मार्फत श्रीमति जुबैदा बोबी 5/21 ग्रहमद स्टेट, किलाकारै मद्रास-5 को निरुद्ध कर लिया जाए और केन्द्रीय कारागार मद्रास में अभिरक्षा में रखा जाए ताकि उसे ऐसा कोई भी कार्य करने से रोका जा सके जो विदेशी मुद्रा के संवर्धन के लिए हानिकारक हो।

2. केन्द्रीय सरकार के पास यह विश्वास करने का कारण है कि पूर्वोक्त व्यक्ति फरार हो गया है या अपने को छिपा रहा है जिससे उक्त आदेश का निष्पादन नहीं हो सके;

3. अतः अब केन्द्रीय सरकार उक्त अधिनियम की धारा 7 की उपधारा (1) के खण्ड (ख) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह निदेश देती है कि पूर्वोक्त व्यक्ति इस आदेश के शासकय राजपत्र में प्रकाशन के 7 दिन के भीतर पुलिस आयुक्त, मद्रास के समक्ष हाजिर हो।

[का. सं. 673/695/89--सं. शु.-8]

अमरा दास, अवर सचिव

ORDER

New Delhi, the 9th February, 1994

S.O. 544.—Whereas the Joint Secretary to the Government of India, specially empowered under sub-section (1) of section 3 of the Conservation of Foreign Exchange and Prevention of Smuggling Activities Act, 1974 (52 of 1974) issued order F. No. 673/160/92-Cus. VIII dated 7-1-93 under the said sub-section directing that Shri Abdul Jabbar S/o Sh. Shahul Hameed R/o No. 4 D.V.M. Lane, Triplicane, Madras-600005 (2) C/o Smt. Shamsbad Begum (Wife 6/53, Salai Street, Kilakkarai, Ramnad Distt. (3) C/o Smt. Zubaida Beevi (Mother) 5/21, Ahamed Street, Kilakkarai be detained and kept in custody in the Central Prison, Madras with a view to preventing him from indulging in activities prejudicial to the augmentation of Foreign Exchange resources in future.

2. Whereas the Central Government has reasons to believe that the aforesaid person has absconded or is concealing himself so that the order cannot be executed;

3. Now, therefore, in exercise of the power conferred by clause (b) of sub-section (1) of Section 7 of the said Act, the Central Government hereby directs the aforesaid person to appear before the Commissioner of Police Madras within 7 days of the publication of this order in the official Gazette.

[F. No. 673/160/92-CUS. VIII]

JAMNA DASS, Under Secy.

आदेश

नई दिल्ली, 9 फरवरी, 1994

का. आ. 545.—भारत सरकार के संयुक्त सचिव ने, जिसे विदेशी मुद्रा संरक्षण और तस्करी निवारण अधिनियम, 1974 (1974 का 52) की धारा 3 की उपधारा (1) के अंतर्गत विशेष रूप से सशक्त किया गया है, उक्त उपधारा के अधीन आदेश का. सं. 673/158/92-सी. शु.-8 दिनांक 30-10-92 को यह निदेश जारी किया था कि श्री एस. मउददीन अब्दुल कादर मुपुत्र सईद इब्राहिम नं. 1, पेन्शनरस स्ट्रीट बूनूर, तिरुचि-1 को निरुद्ध कर लिया जाए और केन्द्रीय कारागार मदुरै में अभिरक्षा में रखा जाए ताकि उसे ऐसा कोई भी कार्य करने से रोका जा सके जो विदेशी मुद्रा के संवर्धन के लिए हानिकारक हो।

2. केन्द्रीय सरकार के पास यह विश्वास करने का कारण है कि पूर्वोक्त व्यक्ति फरार हो गया है या अपने को छिपा रहा है जिससे उक्त आदेश का निष्पादन नहीं हो सके ;

3. अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 7 की उपधारा (1) के खण्ड (ख) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निदेश देती है कि पूर्वोक्त व्यक्ति इस आदेश के आसर्काय राजपत्र में प्रकाशन के 7 दिन के भीतर डायरेक्टर जनरल, पुलिस के समक्ष हजरि हो।

[का. सं. 673/158/92-सी. शु.-8]

जमना दास, अवर सचिव

ORDER

New Delhi, the 9th February, 1994

S.O. 545.—Whereas the Joint Secretary to the Government of India, specially empowered under sub-section (1) of section 3 of the Conservation of Foreign Exchange and Prevention of Smuggling Activities Act, 1974 (52 of 1974) issued order F. No. 673/158/92-Cus. VIII dated 30-10-92 under the said sub-section directing that Shri S. Maideen Abdul Kader S/o Syed Ibrahim, No. 1, Pensioner's Street, Thennur, Trichy-17 be detained and kept in custody in the Central Prison, Madurai with a view to preventing him from indulging in activities prejudicial to the augmentation of Foreign Exchange resources in future.

2. Whereas the Central Government has reasons to believe that the aforesaid person has absconded or is concealing himself so that the order cannot be executed;

3. Now, therefore, in exercise of the power conferred by clause (b) of sub-section (1) of Section 7 of the said Act, the Central Government hereby directs the aforesaid person to appear before the Director Gen. of Police, Tamil Nadu, Madras within 7 days of the publication of this order in the official Gazette.

[F. No. 673/158/92-CUS. VIII]

JAMNA DASS, Under Secy.

आदेश

नई दिल्ली, 9 फरवरी, 1994

का. आ. 546.—भारत सरकार के संयुक्त सचिव ने, जिसे विदेशी मुद्रा संरक्षण और तस्करी निवारण अधिनियम, 1974 (1974 का 52) की धारा 3 की उपधारा (1) के अंतर्गत विशेष रूप से सशक्त किया गया है, उक्त उपधारा के अधीन आदेश का. सं. 673/184/92-सी. शु.-8 दिनांक 24-12-1992 को यह निदेश जारी किया था कि श्री सी. के. चम्बुल्ला सुपुत्र श्री कुन्ही मोहम्मद चालाथोडि हाऊस, एच. नं. 242/11, पी. ओ. मेल्मुरी, मालापूरम डिस्ट्रिक्ट, केरला को निरुद्ध कर लिया जाए और केन्द्रीय कारागार त्रिवेन्द्रम में अभिरक्षा में रखा जाए ताकि उसे ऐसा कोई भी कार्य करने से रोका जा सके जो विदेशी मुद्रा के संवर्धन के लिए हानिकारक हो।

2. केन्द्रीय सरकार के पास यह विश्वास करने का कारण है कि पूर्वोक्त व्यक्ति फरार हो गया है या अपने को छिपा रहा है जिससे उक्त आदेश का निष्पादन नहीं हो सके ;

3. अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 7 की उपधारा (1) के खण्ड (ख) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निदेश देती है कि पूर्वोक्त व्यक्ति इस आदेश के आसर्काय राजपत्र में प्रकाशन के 7 दिन के भीतर डायरेक्टर जनरल, पुलिस, के समक्ष हजरि हो।

[का. सं. 673/184/92-सी. शु.-8]

जमना दास, अवर सचिव

ORDER

New Delhi, the 9th February, 1994

S.O. 546.—Whereas the Joint Secretary to the Government of India, specially empowered under sub-section (1) of section 3 of the Conservation of Foreign Exchange and Prevention of Smuggling Activities Act, 1974 (52 of 1974) issued order F. No. 673/184/92-Cus. VII dated 24-12-92 under the said sub-section directing that Shri C. K. Abdulla, S/o Sh. Kunhi Mohd. R/o Challathil Kalladithodi House H. No. 242/11, P. O. Melmuri Malappuram Distt. Kerala be detained and kept in custody in the Central Prison, Trivandrum with a view to preventing him from indulging in activities prejudicial to the augmentation of Foreign Exchange resources in future.

2. Whereas the Central Government has reasons to believe that the aforesaid person has absconded or is concealing himself so that the order cannot be executed;

3. Now, therefore, in exercise of the power conferred by clause (b) of sub-section (1) of Section 7 of the said Act, the Central Government hereby directs the aforesaid person to appear before the Director Gen. of Police, Kerala, Trivandrum within 7 days of the publication of this order in the official Gazette.

[F. No. 673/184/92-CUS. VIII]

JAMNA DASS, Under Secy.

आदेश

नई दिल्ली, 9 फरवरी, 1994

का. प्रा. 547.—भारत सरकार के संयुक्त सचिव ने जिसे विदेशी मुद्रा संरक्षण और तस्करी निवारण अधिनियम, 1974 (1974 का 52) की धारा 3 की उपधारा (1) के अधीन विशेष रूप से सशक्त किया गया है, उक्त उपधारा के अधीन आदेश का. सं. 673/146/92-सी. शु.-8 दिनांक 23-9-1992 को यह निर्देश जारी किया था कि एसाईयार सान्थनासामी सुपुत्र श्री फिलिप (1) एन. ब्लॉक 151/27, विक्टरी कॉलोनी, अन्ना नगर (ईस्ट) मद्रास-600102 (2) मार्फत श्री चित्तिबाबू मल्लारिकुडि तालुक, तंजौर का निरुद्ध कर लिया जाए और केन्द्रीय कारागार मद्रास में अभिरक्षा में रखा जाए ताकि उसे ऐसा कोई भी कार्य करने से रोका जा सके जो विदेशी मुद्रा के संवर्धन के लिए हानिकारक हो।

2. केन्द्रीय सरकार के पास यह विश्वास करने का कारण है कि पूर्वोक्त व्यक्ति फरार हो गया है या अपने को छिपा रहा है जिससे उक्त आदेश का निष्पादन नहीं हो सके।

3. अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 7 की उपधारा (1) के खण्ड (ख) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निर्देश देती है कि पूर्वोक्त व्यक्ति इस आदेश के शासकीय राजपत्र में प्रकाशन के 7 दिनों के भीतर डाक्टरदर जेजरत, पुनर्वास, तंजौर गाँव, मद्रास के समक्ष हजर हो।

[का. सं. 673/146/92—सी. शु.-8]

जमना दास, भ्रमर सचिव

ORDER

New Delhi, the 9th February, 1994

S.O. 547.—Whereas the Joint Secretary to the Government of India, specially empowered under sub-section (1) of section 3 of the Conservation of Foreign Exchange and Prevention of Smuggling Activities Act, 1974 (52 of 1974) issued order F. No. 673/146/92-Cus. VIII dated 23-9-1992 under the said sub-section directing that Shri Xavier Santhanasamy, S/o Shri Philip, R/o (i) N. Block, 151/27, Victory Colony, Anna Nagar East, Madras-600102. (ii) C/o Chitibabu, Melathiruppalakkudi (PO) Mannarkudi Taluk, Tanjore, be detained and kept in custody in the Central Prison, Madras, with a view to preventing him from indulging in activities prejudicial to the augmentation of Foreign Exchange resources in future.

2. Whereas the Central Government has reasons to believe that the aforesaid person has absconded or is concealing himself so that the order cannot be executed;

3. Now, therefore, in exercise of the power conferred by clause (b) of sub-section (1) of Section 7 of the said Act, the Central Government hereby directs the aforesaid person to appear before the Dir. Gen. of Police, Tamil Nadu, Madras within 7 days of the publication of this order in the Official Gazette.

[F. No. 673/146/92-CUS. VIII]

JAMNA DASS, Under Secy.

आदेश

नई दिल्ली, 9 फरवरी, 1994

का. प्रा. 548.—भारत सरकार के संयुक्त सचिव ने, जिसे विदेशी मुद्रा संरक्षण और तस्करी निवारण अधिनियम, 1974 (1974 का 52) की धारा 3 की उपधारा (1) के अधीन विशेष रूप से सशक्त किया गया है, उक्त उपधारा के अधीन आदेश का. सं. 673/86/93-सी. शु.-8 दिनांक 27-8-93 को यह निर्देश जारी किया था कि श्री ए. रत्ना मोहम्मद सुपुत्र सईद अन्सुन रहमान नं. 27, अंगप्पा नाइकेन स्ट्रीट,

मद्रास (2) नं. 36, कसी चेट्टी स्ट्रीट, मद्रास को निरुद्ध कर लिया जाए और केन्द्रीय कारागार मद्रास में अभिरक्षा में रखा जाए ताकि उसे ऐसा कोई भी कार्य करने से रोका जा सके जो विदेशी मुद्रा के संवर्धन के लिए हानिकारक हो।

2. केन्द्रीय सरकार के पास यह विश्वास करने का कारण है कि पूर्वोक्त व्यक्ति फरार हो गया है या अपने को छिपा रहा है जिससे उक्त आदेश का निष्पादन नहीं हो सके।

3. अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 7 की उपधारा (1) के खण्ड (ख) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निर्देश देती है कि पूर्वोक्त व्यक्ति इस आदेश के शासकीय राजपत्र में प्रकाशन के 7 दिनों के भीतर पुनर्वास आयुक्त, मद्रास के समक्ष हजर हो।

[का. सं. 673/86/93-सी. शु.-8]

जमना दास, भ्रमर सचिव

ORDER

New Delhi, the 9th February, 1994

S.O. 548.—Whereas the Joint Secretary to the Government of India, specially empowered under sub-section (1) of section 3 of the Conservation of Foreign Exchange and Prevention of Smuggling Activities Act, 1974 (52 of 1974) issued order F. No. 673/86/93-Cus. VIII dated 27-8-93 under the said sub-section directing that Shri S. Ratna Mohd, S/o Sh. Syed Abdul Rehman, No. 27 Angoppa Naicken Street, Madras and No. 36, Kasi Chetty Street, Madras be detained and kept in custody in the Central Prison, Madras with a view to preventing him from indulging in activities prejudicial to the augmentation of Foreign Exchange resources in future.

2. Whereas the Central Government has reasons to believe that the aforesaid person has absconded or is concealing himself so that the order cannot be executed;

3. Now, therefore, in exercise of the power conferred by clause (b) of sub-section (1) of Section 7 of the said Act, the Central Government hereby directs the aforesaid person to appear before the Commissioner of Police, Madras within 7 days of the publication of this order in the Official Gazette.

[F. No. 673/86/93-CUS. VIII]

JAMNA DASS, Under Secy.

आदेश

नई दिल्ली, 9 फरवरी, 1994

का. प्रा. 549.—भारत सरकार के संयुक्त सचिव ने जिसमें विदेशी मुद्रा संरक्षण और तस्करी निवारण अधिनियम, 1974 (1974 का 52) की धारा 3 की उपधारा (1) के अधीन विशेष रूप से सशक्त किया गया है, उक्त उपधारा के अधीन आदेश का. सं. 673/77/92 सी. शु.-8 दिनांक 16-12-92 को यह निर्देश जारी किया था कि श्री सी. के. कुन्जुति सुपुत्र श्री मोहम्मद जालानिब कालाडि, थोडिल हाउस मेलगुरी गाँव, मालपरायम जिला केरला को निरुद्ध कर लिया जाए और केन्द्रीय कारागार, त्रिवेन्द्रम में अभिरक्षा में रखा जाए ताकि उसे ऐसा कोई भी कार्य करने से रोका जा सके जो विदेशी मुद्रा के संवर्धन के लिए हानिकारक हो।

2. केन्द्रीय सरकार के पास यह विश्वास करने का कारण है कि पूर्वोक्त व्यक्ति फरार हो गया है या अपने को छिपा रहा है जिससे उक्त आदेश का निष्पादन नहीं हो सके।

3. अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 7 की उपधारा (1) के खण्ड (ख) द्वारा प्रदत्त

शक्तियों का प्रयोग करते हुए, यह निदेश देती है कि पूर्वोक्त व्यक्ति इस आदेश के शासकीय राजपत्र में प्रकाशन के सात दिन के भीतर डायरेक्टर जनरल, पुलिस, केरला त्रिवेन्द्रम के समक्ष हाजिर हों।

[फा. सं. 673/177/92 सी. शु.-8]

जमना दास, अवर सचिव

ORDER

New Delhi, the 9th February, 1994

S.O. 549.—Whereas the Joint Secretary to the Government of India, specially empowered under sub-section (1) of section 3 of the Conservation of Foreign Exchange and Prevention of Smuggling Activities Act, 1974 (52 of 1974) issued order F. No. 673/177/92-Cus. VIII dated 16-12-92 under the said sub-section directing that Shri C. K. Kunjuttu S/o Sh. Mohamed, Challattil Kalladi, Thodiyl House, Melmuri Village Malappuram Distt. Kerala is detained and kept in custody in the Central Prison, Trivandrum with a view to preventing him from indulging in activities prejudicial to the augmentation of Foreign Exchange resources in future.

2. Whereas the Central Government has reasons to believe that the aforesaid person has absconded or is concealing himself so that the order cannot be executed;

3. Now, therefore in exercise of the power conferred by clause (b) of sub-section (1) of Section 7 of the said Act, the Central Government hereby directs the aforesaid person to appear before the Director Gen. of Police, Kerala, Trivandrum within 7 days of the publication of this order in the Official Gazette.

[F. No. 673/177/92-CUS. VIII]

JAMNA DASS, Under Secy.

वित्त मंत्रालय
(राजस्व विभाग)

आदेश

नई दिल्ली 9 फरवरी, 1994

का. आ. 550.—भारत सरकार के संयुक्त सचिव ने जिसे विदेशी मुद्रा संरक्षण और तस्करी निवारण अधिनियम, 1974 (1974 का 52) की धारा 3 की उपधारा (1) के अधीन विशेष रूप में सशक्त किया गया है, उक्त उपधारा के अधीन आदेश फा. सं. 673/25/93 सी. शु. 8—दिनांक 24-3-1993 को यह निदेश जारी किया था कि श्री कुमार बालान, बी-10, तृतीय मंजिल, रोज गार्डन-II कोआपरेटिव हाउसिंग सोसाईटी, वाकोला पार्सप लाईन, सांताक्रुज (ईस्ट) बम्बई को निरुद्ध कर लिया जाए और केन्द्रीय कारागार बम्बई में अभिरक्षा में रखा जाए ताकि उसे ऐसा कोई भी कार्य करने से रोका जा सके जो विदेशी मुद्रा के संरक्षण के लिए हानिकारक हो।

2. केन्द्रीय सरकार के पास यह विश्वास करने का कारण है कि पूर्वोक्त व्यक्ति फरा हो गया है या अपने को छिपा रहा है जिससे उक्त आदेश का निष्पादन नहीं हो सके।

अतः अब केन्द्रीय सरकार उक्त अधिनियम की धारा 7 की उपधारा (1) के खण्ड (ख) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह निदेश देती है कि पूर्वोक्त व्यक्ति इस आदेश के शासकीय राजपत्र में प्रकाशन के 7 दिन के भीतर पुलिस आयुक्त, बम्बई के समक्ष हाजिर हों।

[फा. सं. 673/25/93 सि. शु. 8]

रूप चन्द, अवर सचिव

MINISTRY OF FINANCE (Department of Revenue) ORDER

New Delhi, the 9th February, 1994

S.O. 550.—Whereas the Joint Secretary to the Government of India, specially empowered under sub-section (1) of section 3 of the Conservation of Foreign Exchange and Prevention of Smuggling Activities Act, 1974 (52 of 1974) issued order F. No. 673/25/93-Cus. VIII dated 24-3-93 under the said sub-section directing that Shri Kumaresh Balan, B-10, 3rd Floor, Rose Garden II Co-Op. Housing Society, Vakola Pipe Line, Santacruz (East), Bombay be detained and kept in custody in the Central Prison, Bombay with a view to preventing him from indulging in activities prejudicial to the Conservation of Foreign Exchange resources in future.

2. Whereas the Central Government has reasons to believe that the aforesaid person has absconded or is concealing himself so that the order cannot be executed;

3. Now, therefore in exercise of the power conferred by clause (b) of sub-section (1) of Section 7 of the said Act, the Central Government hereby directs the aforesaid person to appear before the Commissioner of Police, Bombay within 7 days of the publication of this order in the official Gazette.

[F. No. 673/25/93-CUS. VIII]

ROOP CHAND, Under Secy

आदेश

नई दिल्ली 9 फरवरी, 1994

का. आ. 551.—भारत सरकार के संयुक्त सचिव ने, जिसे विदेशी मुद्रा संरक्षण और तस्करी निवारण अधिनियम 1974 (1974 का 52) की धारा 3 की उपधारा (1) के अधीन विशेष रूप में सशक्त किया गया है, उक्त उपधारा के अधीन आदेश फा. सं. 673/44/93 सी. शु.-8 दिनांक 17-05-1993 को यह निदेश जारी किया था कि श्री हमजा उसमान उफ हस्सन, फ्लैट नं. ई-7, मुकुन्द नगर, कोआपरेटिव हाउसिंग सोसाईटी लि. अन्धेरी कुरला रोड, अन्धेरी (ई), बम्बई-400059 को निरुद्ध कर लिया जाए और केन्द्रीय कारागार बम्बई में अभिरक्षा में रखा जाए ताकि उसे ऐसा कोई भी कार्य करने से रोका जा सके जो विदेशी मुद्रा के संवर्धन के लिए हानिकारक हो।

2. केन्द्रीय सरकार के पास यह विश्वास करने का कारण है कि पूर्वोक्त व्यक्ति फरार हो गया है या अपने को छिपा रहा है जिससे उक्त आदेश का निष्पादन नहीं हो सके ;

3 अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 7 की उपधारा (1) के खण्ड (ख) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निदेश देती है कि पूर्वोक्त व्यक्ति इस आदेश के शासकीय राजपत्र में प्रकाशन के 7 दिन के भीतर पुलिस आयुक्त, बम्बई के समक्ष हाजिर हों।

[फा. सं. 673/44/93 सी शु-8]

रूप चन्द, अवर सचिव

ORDER

New Delhi, the 9th February, 1994

S.O. 551.—Whereas the Joint Secretary to the Government of India, specially empowered under sub-section (1) of section 3 of the Conservation of Foreign Exchange and Prevention of Smuggling Activities Act, 1974 (52 of 1974) issued order F. No. 673/44/93-Cus. VIII dated 17-5-1993 under the said sub-section directing that Shri Hamza Usman @ Hasan, Flat No. E-7, Mukund Nagar, Co-op. Housing Society Ltd., Andheri Kurla Road, Andheri (E), Bombay-400059, be detained and kept in custody in the Central Prison, Bombay

with a view to preventing him from indulging in activities prejudicial to the augmentation of Foreign Exchange resources in future.

2. Whereas the Central Government has reasons to believe that the aforesaid person has absconded or is concealing himself so that the order cannot be executed;

3. Now, therefore in exercise of the power conferred by clause (b) of sub-section (1) of Section 7 of the said Act, the Central Government hereby directs the aforesaid person to appear before the Commissioner of Police, Bombay within 7 days of the publication of this order in the Official Gazette.

[F. No. 673/44/93-CUS. VIII]
ROOP CHAND, Under Secy.

आदेश

नई दिल्ली, 9 फरवरी, 1994

का० आ० 552.—भारत सरकार के संयुक्त सचिव ने, जिसे विदेशी मुद्रा संरक्षण और तस्करी निवारण अधिनियम, 1974 (1974 का 52) की धारा 3 की उपधारा (1) के अधीन विशेष रूप से सशक्त किया गया है, उक्त उपधारा के अधीन आदेश का० सं० 673/45/93 सी०सू०-8 दिनांक 17-5-1993 को यह निदेश जारी किया था कि श्री दम्बर बहादुर सिंह उर्फ रमेश कुमार अजीत आशी उर्फ रवि सिंह सुपुत्र श्री बीर सिंह बहादुर बीर सिंह ई-7, मुकुंद नगर, कोआपरेटिव हाऊसिंग सोसाइटी लि. अंधेरी कुरला रोड, अंधेरी ईस्ट बम्बई-400059 को निरुद्ध कर लिया जाए और केन्द्रीय कारागार बम्बई में अभिरक्षा में रखा जाए ताकि उसे ऐसा कोई भी कार्य करने से रोका जा सके जो विदेशी मुद्रा के संवर्द्धन के लिए हानिकारक हो।

2. केन्द्रीय सरकार के पास यह विश्वास करने का कारण है कि पूर्वोक्त व्यक्ति फरार हो गया है या अपने को छिपा रहा है जिससे उक्त आदेश का निष्पादन नहीं हो सके;

3. अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 7 की उपधारा (1) के खंड (ख) द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए, यह निदेश देती है कि पूर्वोक्त व्यक्ति इस आदेश के शासकीय राजपत्र में प्रकाशन के 7 दिन के भीतर पुलिस प्रायुक्त, बम्बई के समक्ष हाजिर हों।

[फा. सं. 673/45/93-सी.सू.8]]

रूप चन्द, प्रवर सचिव,

ORDER

New Delhi, the 9th February, 1994

S.O. 552.—Whereas the Joint Secretary to the Government of India, specially empowered under sub-section (1) of section 3 of the Conservation of Foreign Exchange and Prevention of Smuggling Activities Act, 1974 (52 of 1974) issued order F. No. 673/45/93-Cus. VIII dated 17-5-1993 under the said sub-section directing that Shri Dambar Bahadur Singh @ Ramesh Kumar Ajit Joshi, Ravi Singh S/o Sh. Sir Singh Bahadur Vir Singh, E-7, Mukund Nagar, Co-op. Housing Society Ltd., Andheri Kurla Road, Andheri East, Bombay 400059 be detained and kept in custody in the Central Prison, Bombay with a view to preventing him from indulging in activities prejudicial to the augmentation of Foreign Exchange resources in future.

2. Whereas the Central Government has reasons to believe that the aforesaid person has absconded or is concealing himself so that the order cannot be executed;

3. Now, therefore, in exercise of the power conferred by clause (b) of sub-section (1) of Section 7 of the said Act, the Central Government hereby directs the aforesaid person to appear before the Commissioner of Police, Bombay within 7 days of the publication of this order in the official Gazette.

[F. No. 673/45/93-CUS. VIII]
ROOP CHAND, Under Secy.

आदेश

नई दिल्ली, 9 फरवरी, 1994

का.आ. 553.—भारत सरकार के संयुक्त सचिव ने, जिसे विदेशी मुद्रा संरक्षण और तस्करी निवारण अधिनियम, 1974 (1974 का 52) की धारा 3 की उपधारा (1) के अधीन विशेष रूप से सशक्त किया गया है, उक्त उपधारा के अधीन आदेश का सं० 673/163/92-सी.सू.-8 दिनांक 23-11-1992 को यह निदेश जारी किया था कि श्री मोहम्मद इकबाल करीम शेखानी, 150 निशानपाड़ा रोड, अब्दुल कादिर बिल्डिंग, कपरा नं० 14, द्वितीय तल, डोंगरी, बम्बई-400009 को निरुद्ध कर लिया जाए और केन्द्रीय कारागार बम्बई में अभिरक्षा में रखा जाए ताकि उसे ऐसा कोई भी कार्य करने से रोका जा सके जो विदेशी मुद्रा के संवर्द्धन के लिए हानिकारक हो।

2. केन्द्रीय सरकार के पास यह विश्वास करने का कारण है कि पूर्वोक्त व्यक्ति फरार हो गया है या अपने को छिपा रहा है जिससे उक्त आदेश का निष्पादन नहीं हो सके;

3. अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 7 की उपधारा (1) के खंड (ख) द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए, यह निदेश देती है कि पूर्वोक्त व्यक्ति इस आदेश के शासकीय राजपत्र में प्रकाशन के 7 दिन के भीतर पुलिस प्रायुक्त, बम्बई के समक्ष हाजिर हों।

[फा. सं. 673/163/92-सी.सू.-8]]

रूप चन्द, प्रवर सचिव.

ORDER

New Delhi, the 9th February, 1994

S.O. 553.—Whereas the Joint Secretary to the Government of India, specially empowered under sub-section (1) of section 3 of the Conservation of Foreign Exchange and Prevention of Smuggling Activities Act, 1974 (52 of 1974) issued order F. No. 673/63/92-Cus. VIII dated 23-11-1992 under the said sub-section directing that Shri Mohd. Iqbal Abdul Karim Shekhami, 150, Nishanpada Road, Abdul Karim Bldg., Room No. 14, 2nd Floor, Dongri, Bombay-400009 be detained and kept in custody in the Central Prison, Bombay, with a view to preventing him from indulging in activities prejudicial to the augmentation of Foreign Exchange resources in future.

2. Whereas the Central Government has reasons to believe that the aforesaid person has absconded or is concealing himself so that the order cannot be executed;

3. Now, therefore, in exercise of the power conferred by clause (b) of sub-section (1) of Section 7 of the said Act, the Central Government hereby directs the aforesaid person to appear before the Commissioner of Police, Bombay within 7 days of the publication of this order in the official Gazette.

[F. No. 673/163/92-CUS. VIII]

ROOP CHAND, Under Secy.

आदेश

नई दिल्ली, 9 फरवरी, 1994

का.आ. 554.—भारत सरकार के संयुक्त सचिव ने, जिसे विदेशी मुद्रा संरक्षण और तस्करी निवारण अधिनियम, 1974 (1974 का 52) की धारा 3 की उपधारा (1) के अधीन विशेष रूप से सशक्त किया गया है, उक्त उपधारा के अधीन आदेश का सं० 673/72/93-सी.सू.-8 दिनांक 7-7-1993 को यह निदेश जारी किया था कि श्री अब्दुल्ला स्कन्दुद्दीन,

सी ब्लॉक, प्रथम तल, पोरबन्दरवाला थिडिंग, जेल रोड, नार्थ बम्बई-9 (2) कमरा नं. 14, भूमितल रणमल विडिंग सामुएल स्ट्रीट, बम्बई-400009 को निरुद्ध कर लिया जाए और केन्द्रीय कारागार बम्बई में प्रभिरक्षा में रखा जाए ताकि उो ऐसा कोई भी कार्य करने से रोका जा सके जो विदेशी मुद्रा के संवर्धन के लिए हानिकारक हो।

2. केन्द्रीय सरकार के पाम यह विश्वास करने का कारण है कि पूर्वोक्त व्यक्ति फरार हो गया है या अपने को छिपा रहा है जिससे उक्त आदेश का निष्पादन नहीं हो सके;

3. अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 7 की उपधारा (1) के खण्ड (ख) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निदेश देती है कि पूर्वोक्त व्यक्ति इस आदेश के शासकीय राजपत्र में प्रकाशन के 7 दिन के भीतर पुलिस आयुक्त, बम्बई के समक्ष हाजिर हों।

[फा. सं. 673/72/93-सी.गं.-8]

रूप चन्द, अवसर सचिव

ORDER

New Delhi, the 9th February, 1994

S.O. 554.—Whereas the Joint Secretary to the Government of India, specially empowered under sub-section (1) of section 3 of the Conservation of Foreign Exchange and Prevention of Smuggling Activities Act, 1974 (52 of 1974) issued under F. No. 673/72/93-Cus. VIII dated 7-7-93 under the said sub-section directing that Shri Abdulla Rukhuddin, C. Block, 1st Floor, Porbanderwalla Building, Jail Road, North, Bombay-400009. (II) Room No. 14, Ground Floor, Ranmal Bldg Samuel Street, Bombay-400009 be detained and kept in custody in the Central Prison, Bombay with a view to preventing him from indulging in activities prejudicial to the augmentation of Foreign Exchange resources in future

2. Whereas the Central Government has reasons to believe that the aforesaid person has absconded or is concealing himself so that the order cannot be executed;

3. Now, therefore, in exercise of the power conferred by clause (b) of sub-section (1) of Section 7 of the said Act, the Central Government hereby directs the aforesaid person to appear before the Commissioner of Police, Bombay within 7 days of the publication of this order in the official Gazette.

[F. No. 673/72/93-CUS. VIII]

ROOP CHAND, Under Secy.

वित्त मंत्रालय

(प्राथमिक कार्य विभाग)

(वैकिंग प्रभाग)

नई दिल्ली, 10 फरवरी, 1994

का.आ. 555.—राष्ट्रीयकृत बैंक (अवन्ध और प्रकीर्ण उपबन्ध) स्कीम, 1970 की धारा 9 की उपधारा (2) के साथ पठित

धारा 3 की उपधारा (ख) के अनुसरण में, केन्द्रीय सरकार, एतद्द्वारा श्री सुरेश चन्द शर्मा, विशेष सहायक, इलाहाबाद बैंक, संसद मार्ग, नयी दिल्ली को दिनांक 10 फरवरी, 1994 से 9 फरवरी, 1997 तक अथवा जब तक वे इलाहाबाद बैंक के एक कर्मचारी के रूप में अपनी सेवा छोड़ नहीं देते हैं, इनमें से जो भी पहले हो, इलाहाबाद बैंक के निदेशक बोर्ड में निदेशक के रूप में नियुक्त करती है।

[सं. 15/3/93 आई.आर.]

एस. के. बत्रा, अवसर सचिव

MINISTRY OF FINANCE

(Department of Economic Affairs)

(Banking Division)

New Delhi, the 10th February, 1994

S.O. 555.—In pursuance of sub-clause (b) of Clause 3 read with sub-clause (2) of Clause 9 of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970, the Central Government hereby appoints Shri Suresh Chand Sharma, Special Assistant, Allahabad Bank, Parliament Street, New Delhi as a Director on the Board of Directors of Allahabad Bank with effect from 10th February, 1994 to 9th February, 1997 or till he ceases to be an employee of the Allahabad Bank whichever is earlier.

[No. 15/3/93-IR]

S. K. BATRA, Under Secy.

कोयला मंत्रालय

नई दिल्ली, 13 जनवरी, 1994

का.आ. 556.—केन्द्रीय सरकार राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियमावली, 1976 के नियम 10 के उपनियम (4) के अनुसरण में कोयला मंत्रालय के प्रशासनिक नियंत्रणाधीन, साउथ ईस्टर्न कोलफील्ड्स लि. और ईस्टर्न कोलफील्ड्स लि० के निम्नलिखित क्षेत्रीय (मुख्यालय) को, जिसके 80 कर्मचारीवृन्द ने हिन्दी का कार्यसाधक ज्ञान प्राप्त कर लिया है, अधिमूर्चित करती है :—

1. साउथ ईस्टर्न कोलफील्ड्स लि., क्षेत्रीय मुख्यालय, चिरीमिरी क्षेत्र।
2. साउथ ईस्टर्न कोलफील्ड्स लि., क्षेत्रीय मुख्यालय, बैकृण्ठपुर क्षेत्र।
3. साउथ ईस्टर्न कोलफील्ड्स लि., क्षेत्रीय मुख्यालय, जोहिला क्षेत्र।
4. साउथ ईस्टर्न कोलफील्ड्स लि., क्षेत्रीय मुख्यालय, कोरवा क्षेत्र।
5. ईस्टर्न कोलफील्ड्स लि०, राजमहल क्षेत्र।

[फा. सं. ई-11016/1/94-हिन्दी]

कमल कान्त मिश्र, संयुक्त सचिव

MINISTRY OF COAL

New Delhi, the 13th January, 1994

S.O. 556.—In pursuance of sub-rule (4) of Rule 10 of the Official Language (Use for Official purposes of the Union), Rules, 1976, the Central Government hereby notifies, the Area (HQ) Offices of South Eastern Coalfields Limited and Eastern Coalfields Limited of the following company, under the Administrative control of the Ministry of Coal, the 80% staff whereof have acquired working knowledge of Hindi.

1. South Eastern Coalfields Limited, Area (HQ), Chirmiri Area.

2. South Eastern Coalfields Limited, Area (HQ), Bakandhpur Area.
3. South Eastern Coalfields Limited, Area (HQ), Jhila Area.
4. South Eastern Coalfields Limited, Area (HQ), Korba Area.
5. Eastern Coalfields Limited, Rajmahal, Area.

[No. E-11016/1/94-HINDI]

K. K. MISRA, Jr. Secy.

नागरिक प्रति, उपभोक्ता मामले और सार्वजनिक वितरण मंत्रालय

(भारतीय मानक ब्यूरो)

नई दिल्ली, 28 जनवरी, 1994

का. आ. 567.—भारतीय मानक ब्यूरो नियम, 1987 के नियम 7 के उपनियम (1) की खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद् द्वारा अधिसूचित करता है कि जिस/जिन भारतीय मानक/मानकों, का/के विवरण नीचे अनुसूची में दिया गया है/दिए गए हैं, वह/वे स्थापित हो गया है/हो गए हैं।

अनुसूची

क्रम सं. स्थापित भारतीय मानक(कों) की संख्या वर्ष और शीर्षक	नए भारतीय मानक द्वारा अनि- क्रमित भारतीय मानक अथवा मानकों, यदि कोई हों, की सं. और वर्ष	स्थापित तिथि
(1)	(2)	(3)
1. आईएस : 56 : 1993—रोगन के लिए परीक्षण नीला (लौह नीला)—विशिष्ट (हूसरा पुनरीक्षण)	आईएस : 56—1975	1993-07-31
2. आईएस : 101 (भाग 9/खंड 2)—1993 रोगन, वर्तिका और सबूत उत्पादों के नमूने लेने और परीक्षण की विधियां भाग 9 लिफ्ट और वर्तिका के परीक्षण खंड 2 रोजिन परीक्षण (तीसरा पुनरीक्षण)	आईएस : 101—1987	1993-06-30
3. आईएस : 229—1993—इथाइल एसीटेट—विशिष्ट (तीसरा पुनरीक्षण)	आईएस : 229—1957	1993-03-31
4. आईएस : 266—1993—सल्फ्यूरिक अम्ल—विशिष्ट (तीसरा पुनरीक्षण)	आईएस : 266—1950	1993-05-31
5. आईएस : 302-2-21 (1992)—घरेलू और तेजे ही बिजली के उपकरणों की निरापेक्षा भाग 2 विशिष्ट अपेक्षाएं खंड 21 अचल भंडारण टाइप पानी गर्म करने के हीटर	—	1992-12-31
6. आईएस : 363—1993—हैप्स और स्टेपल—विशिष्ट (चौथा पुनरीक्षण)	आईएस : 363—1961	1993-05-31
7. आईएस : 548 (भाग 2/खंड 22)—1993 तेल और वसाओं के नमूने लेने और परीक्षण की विधियां भाग 2 शुद्धता परीक्षण खंड 22 खाद्य तेलों में ट्राइक्रिस्टल हेतु परीक्षण	आईएस : 548—1964	1993-05-31

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8.	आईएस : 623—1993—बॉक्सिकल के फ़ैम विशिष्ट	आईएस : 623—1955	1993-03-31
9.	आईएस : 919 (भाग 2)—1993—सीमाओं और फिट की आईएसओ प्रणाली भाग 2 छेदों और शापट की मानक ग्रेड और सीमा विचलनों की सारणियां (पहला पुनरीक्षण)	---	1993-01-31
10.	आईएस : 1068—1993—निकिल और क्रोमियम तथा तांबा और क्रोमियम के विद्युत लेप—विशिष्ट (तीसरा पुनरीक्षण)	आईएस : 1068—1958	1993-07-31
11.	आईएस : 1200 (भाग 8)—1993 सिविल इंजी-नियरी कार्यों और भवनों के मापन की विधियां भाग 8 इस्पात संरचना और लौह संरचना (चौथा पुनरीक्षण)	आईएस : 1200—1958	1993-04-30
12.	आईएस : 1248 (भाग 1)—1993—प्रत्यक्ष कार्य करने वाले संकेतन एनलॉग विद्युत मापन यंत्र और उनके सहायकांग—विशिष्ट भाग 1 सामान्य अपेक्षाएं (तीसरा पुनरीक्षण)	आईएस : 1248—1983	1993-06-30
13.	आईएस : 1337—1993—इंजीनियरी हेतु कठोर क्रोमियम के विद्युत लेप—विशिष्ट (तीसरा पुनरीक्षण)	आईएस : 1337—1959	1993-03-30
14.	आईएस : 1353—1993—कोल कार्बनीकरण हेतु परीक्षण विधि—केकिंग तापमान, फुलन अंक और (एलटी) से-किंग मूल्यांकन (पहला पुनरीक्षण)	आईएस : 1353—1959	1993-05-31
15.	आईएस : 1364—(भाग 5)—1992—उत्पाद ग्रेड ए और बी के षटकोणीय शीर्ष काबले पेंच और डिबेरियां भाग 5 षटकोणीय डिबरी (अचेमर्ड) (साइज रेंज एम 106 से एम 10) (तीसरा पुनरीक्षण)	आईएस : 1364—1960	1993-11-30
16.	आईएस : 1369 (भाग 1)—1993—बंधक चूड़ी रन-आउट और अंडरकट भाग 1 पेंच चूड़ी बाह्यरी आईएसओ मीट्रिक चूड़ियों के आयाम	आईएस : 1369—1961	1993-05-31
17.	आईएस : 1369—(भाग 2)—1993—बंधक चूड़ी रन-आउट और अंडरकट भाग 2 आईएसओ मीट्रिक चूड़ियों हेतु पेंच चूड़ी एंडरकट के आयाम (तीसरा पुनरीक्षण)	आईएस : 1369—1961	1993-05-31
18.	आईएस : 1387—1993—घातुकर्मिय सामग्री की प्रति के लिए सामान्य अपेक्षाएं (दूसरा पुनरीक्षण)	आईएस : 1387—1959	1993-02-28
19.	आईएस : 1467—1993—फैराटगस्टन—विशिष्ट (दूसरा पुनरीक्षण)		

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20.	आईएस 1632--1993 प्रकाशीय यंत्र बमल्स-- विशिष्ट (पहला पुनरीक्षण)	आईएस : 1632--1980	1993-03-31
21.	आईएस : 1885 (भाग 27)--1993 विद्युत तकनीकी शब्दावली भाग 27 पावर इलेक्ट्रॉनिक्स (दूसरा पुनरीक्षण)	आईएस : 1885--1985	1993-05-31
22.	आईएस : 1885 (भाग 28)--1993 विद्युत तकनीकी शब्दावली भाग 28 यंत्र ट्रांसफार्मर (पहला पुनरीक्षण)	आईएस : 1885--1972	1993-05-31
23.	आईएस : 1885 (भाग 32)--1993 विद्युत तकनीकी शब्दावली भाग 32 बिजली की केबल (पहला पुनरीक्षण)	आईएस : 1885--1977	1993-05-31
24.	आईएस 1885 (भाग 57)--1993 विद्युत तकनीकी शब्दावली भाग 37 विद्युत धारा हेतु मूल्य दर (पहला पुनरीक्षण)	आईएस : 1885--1973	1993-05-31
25.	आईएस : 1885 (भाग 51)--1993 विद्युत तक- नीकी शब्दावली भाग 51 औद्योगिक विद्युत्तापन (पहला पुनरीक्षण)	आईएस : 1885--1979	1993-05-31
26.	आईएस : 1885 (भाग 60)--विद्युत तकनीकी शब्दावली भाग 60 विस्फोटक वातावरण में विद्युत उपकरण (पहला पुनरीक्षण)	आईएस : 1885--1984	1993-05-31
27.	आईएस : 1885 (भाग 74)--1993 विद्युत तकनीकी शब्दावली भाग 74 विद्युत और चुम्बकीय युक्तियाँ	—	1993-05-31
28.	आईएस : 1902--1993 गैर संरचना प्रयोजनों हेतु बांस और बेंत का संरक्षण--रीति: संहिता (पहला पुनरीक्षण)	आईएस : 1902--1961	1993-03-31
29.	आईएस : 2064--1993 श्रुतिता (सैनट्री) उप- स्करों के चुनाव, संस्थापन और रखरखाव--रीति संहिता (दूसरा पुनरीक्षण)	आईएस : 2064--1962	1993-03-31
30.	आईएस : 2086--1993 650 वोल्तक वोल्टता हेतु पुनः बार लगाए जा सकने वाले टाइप के बिजली के फ्यूज में कैरियर और आधार (तीसरा पुनरीक्षण)	आईएस : 2086--1962	1993-05-31
31.	आईएस : 2102 (भाग 1)--1993 सामान्य छूटें भाग 1 एकल छूट संकेतों सहित रेखीय और कोणीय छूटें (तीसरा पुनरीक्षण)	आईएस : 2102--1962	1993-02-28
32.	आईएस : 2211--1993 फोटोग्राफी ग्रेज निर्जल सोडियम थायोसल्फेट--विशिष्ट (दूसरा पुनरीक्षण)	आईएस : 2211--1962	1993-04-30
33.	आईएस : 2262--1993 कार्ल फिशर विधि द्वारा जल का निर्धारण--परीक्षण विधि (दूसरा पुनरीक्षण)	आईएस : 2262--1973	1993-07-31

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34.	आईएस : 2404--1993 माल्ट निष्कर्ष विशिष्ट (दूसरा पुनरीक्षण)	आईएस : 2404--1993	1993-03-31
35.	आईएस : 3070 (भाग 2)--1993 प्रत्यावर्ती तंत्र हेतु तड़ित चालक भाग 2 रिक्त स्थानरहित धातु आक्साइड के तड़ित चालक	आईएस :	1993-04-30
36.	आईएस : 3667--1993 बी-टिबल पटसन का कपड़ा--विशिष्ट	आईएस : 3667--1966	1993-5-31
37.	आईएस : 3865--1993 बीयर-विशिष्ट (दूसरा पुनरीक्षण)	आईएस : 3865--1966	1993-05-31
38.	आईएस 3884--1993 डिब्बाबंद टमाटर सांद्र-- टमाटर क्षेपी-विशिष्ट (पहला पुनरीक्षण)	आईएस : 3884--1966	1993-07-31
39.	आईएस : 4111 (भाग 5)--1993 मल-जल प्रणाली में एनसीलरी संरचना की रीति संहिता भाग 5 भौवर आउटफाल	आईएस--	1993-05-31
40.	आईएस : 4211--1993--गेज आईएसओ मीट्रिक पेंच चूड़ियों (अन्तराल रेंज 0.4 से 6 एमएम) हेतु चूड़ी अन्तराल गेज-विशिष्ट (पहला पुनरीक्षण)	--	1993-03-31
41.	आईएस : 4410 (भाग 12)--1993 नदीवादी परियोजनाओं से सम्बन्धित शब्दावली भाग 12 शाखायन कार्य (पहला पुनरीक्षण)	--	1993-07-31
42.	आईएस : 446 (भाग 3)--1993 कृषि कार्यों हेतु पहिएवार ट्रैक्टर, पीछे में साऊंटेड तीन बिन्दु संबंध भाग 3 संवर्ग 4 (पहला पुनरीक्षण)	--	1993-02-28
43.	आईएस : 4613--1993--माल विशिष्ट (पहला पुनरीक्षण)	आईएस : 4613--1968	1993-05-31
44.	आईएस : 4833--1993 लकड़ी में परिरक्षियों की क्षेत्र परीक्षण विधियां (पहला पुनरीक्षण)	आईएस : 4833--1968	1993-03-30
45.	आईएस : 4979--1993 टेबल टेनिस की मेज --विशिष्ट (पहला पुनरीक्षण)	आईएस : 4979--1993	1993-05-31
46.	आईएस : 5706--1993 प्रकाशिक यंत्र--प्रीसीजन इंजीनियरी में प्रयुक्त स्प्रिट लेबल (पहला पुनरीक्षण)	आईएस : 5706--1970	1993-05-31
47.	आईएस : 5861--1993 जैम जैली और मारमलेड --विशिष्ट (पहला पुनरीक्षण)	आईएस : 5861--1970	1993-05-31
48.	आईएस : 5644 (भाग 2)--1993 घात्विक पाउडर--अपचयन विधि द्वारा आक्सीजन अंश का निर्धारण भाग 2 हाइड्रोजन अपचयन द्वारा महति की क्षति (हाइड्रोजन क्षति) (तीसरा पुनरीक्षण)	आईएस : 5644--1970	1993-02-28

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49	आई एस : 5652 (भाग 1)---1993 कठोर धातु ---राकवेन कठोरता परीक्षण (पैमाना ए) भाग 1 (परीक्षण विधि) (दूसरा पुनरीक्षण)	आई एम : 5652---1972	1993-02-28
50.	आई एस : 5966---1993---सामान्य प्रयोजनों हेतु गैर कॉनीफर की परिवर्तित रूप में इमारती लकड़ी (पहला पुनरीक्षण)	आई एस : 5966---1970	1993-02-28

इन मानकों की प्रतियाँ भारतीय मानक ब्यूरो, मानक भवन, 9 बहादुर शाह जफर मार्ग, नई दिल्ली-110002 और क्षेत्रीय कार्यालयों दम्बर्द, कलकत्ता, चण्डीगढ़ और मद्रास और शाखा कार्यालयों अहमदाबाद, बंगलोर, भोपाल, भुवनेश्वर, गुवाहाटी, हैदराबाद, जयपुर, वानपुर, पटना और त्रिवेन्द्रम, गाजियाबाद, तथा फरीदाबाद में बित्री हेतु उपलब्ध हैं।

[सं. के.प्र.वि. 13 : 2)]

एन. श्रीनिवासन, अपर महानिदेशक

MINISTRY OF CIVIL SUPPLIES
(Consumer Affairs & Public Distribution)

BUREAU OF INDIAN STANDARDS

New Delhi, the 28th January, 1994

S.O. 557.—In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules 1987, the Bureau of Indian Standards hereby notifies that the Indian Standard(s), Particulars of which is/are given in the Schedule hereto annexed, has/have been established on the date indicated against each :

SCHEDULE

Sl. No. year and Title of the Indian Standard (s) No. Established	No. and year of the Indian Standard or Standards, if any, superseded by the new Indian Standard	Date of establishment
1	2	3
1. IS 56:1993 Prussian blue (Iron blue) for paints— specification (Second Revision)	IS 56:1975	93-07-31
2. IS 101(Part 9/Sec 2) : 1993 Methods of sampling and test for paints, varnishes and related products Part 9 tests for lacquers and varnish Section 2 resin test (Third Revision)	IS 101:1987	93-06-30
3. IS 229:1993 Ethyl acetate—specification (Third Revision)	IS 229:1957	93-03-31
4. IS 266:1993 Sulphuric acid—specification (Third Revision)	IS 266:1950	93-05-31
5. IS 302-2-21 (1992) : Safety of household and similar electrical appliances Part 2 particular requirements Section 21 stationery storage type electric water heater	—	92-12-31

1	2	3	4
6.	IS 363:1993 Hasps and staples—specification (Fourth Revision)	IS 363 : 1961	93-05-31
7.	IS 548 (Part 2/Sec 22) : 1993 Methods of sampling and test for oils and fats Part 2 purity tests Section 22 test for detection of tricresyl phosphate in edible oil	IS 548:1964	93-05-31
8.	IS 623 : 1993 Bicycle frames—specification (Second Revision)	IS 623:1955	93-03-31
9.	IS 919 (Part 2) : 1993 ISO system of limits and fits Part 2 tables of standards tolerance grades and limit deviations for holes and shafts (First Revision)	—	93-01-31
10.	IS 1068 : 1993 (Electroplated coatings of nickel plus chromium and copper plus nickel plus chromium— specification (Third Revision)	IS 1068:1958	93-07-31
11.	IS 1200 (Part 8) : 1993 Methods of measurement of building and civil engineering works Part 8 Steelwork and ironwork (Fourth Revision)	IS 1200:1958	93-04-30
12.	IS 1248(Part 1) : 1993 Direct acting indicating ana- logue electrical measuring instruments and their access- ories—specification Part 1 General requirements (Third Revision)	IS 1248:1983	93-06-30
13.	IS 1337:1993 Electroplated coatings of hard chromium for engineering purposes—specification (Third Revision)	IS 1337:1959	93-03-30
14.	IS 1353:1993 Methods of test for coal carbonization— caking index, swelling number and (LT) Grey-king assay (First Revision)	IS 1353:1959	93-05-31
15.	IS 1364-(Part 5) : 1992 Hexagon Head bolts, screws and nuts of products grades A and B Part 5 Hexagon thin nuts (Unchamfered) (Size range M1.6 to M 10) (Third Revision)	IS 1364:1960	93-11-30
16.	IS 1369 (Part 1):1993 Fasteners —Thread run-outs and undercut - Part 1 dimensions for screws thread run- outs for external ISO metric threads. (Third Revision)	IS 1369:1961	93-05-31
17.	IS 1369 (Part 2): 1993 Fasteners—thread run-outs and undercuts Part 2 Dimensions for screws thread under- cuts for external ISO metric threads (Third Revision)	IS 1369:1961	93-05-31
18.	IS 1387:1993 General requirements for the supply of metallurgical materials (Second Revision)	IS 1387:1959	93-02-28
19.	IS 1467:1993 Ferrotungsten—specification (Second Revision)	IS 1467:1962	93-05-31
20.	IS 1632:1993 Optical instruments— bubbles— specifica- tion (First Revision)	IS 1632:1980	93-03-31

1	2	3	4
21.	IS 1885 (Part 27): 1992 Electrotechnical vocabulary Part 27 Power electronics (Second Revision)	IS 1885:1969	93-05-31
22.	IS 1885 (Part 28): 1993 Electrotechnical vocabulary Part 28 instrument transformers (First Revision)	IS 1885:1972	93-05-31
23.	IS 1885 (Part 32): 1993 Electrotechnical vocabulary Part 32 Electric cables (First Revision)	IS 1885:1977	93-05-31
24.	IS 1885 (Part 37): 1993 Electrotechnical vocabulary Part 37 Tariffs for electricity (First Revision)	IS 1885:1973	93-05-31
25.	IS 1885 (Part 51): 1993 Electrotechnical vocabulary Part 51 industrial electroheating (First Revision)	IS 1885:1979	93-05-31
26.	IS 1885 (Part 60): 1993 Electrotechnical vocabulary Part 60 electrical apparatus for explosive atmospheres (First Revision)	IS 1885:1984	93-05-31
27.	IS 1885 (Part 74): 1993 Electrotechnical vocabulary Part 74 electrical and magnetic devices.	—	93-05-31
28.	IS 1902:1993 Preservation of bamboo and cane for non-structural purposes—code of practice. (First Revision)	IS 1902:1961	93-03-31
29.	IS: 2064:1993 Selection, installation and maintenance of sanitary appliances—code of practice. (Second Revision)	IS 2064:1962	93-03-31
30.	IS 2086:1993 Carriers and bases in recoirable type electric fuses for voltages up to 650 V—specification (Third Revision)	IS 2086:1962	93-05-31
31.	IS 2102 (Part 1): 1993 General tolerances Part 1 tolerances for linear and angular dimensions without individual tolerance indications. (Third Revision)	IS 2102:1962	93-02-28
32.	IS 2211 : 1993 Anhydrous sodium thiosulphate, photographic grade—specification (Second Revision)	IS 2211:1962	93-04-30
33.	IS 2362:1993 Determination of water by karl fischer method—test method. (Second Revision)	IS 2362:1973	93-07-31
34.	IS 2404:1993 (Malt extract—specification. (Second Revision)	IS 2404:1993	93-03-31
35.	IS 3070 (Part 2) : 1993 Lightning arresters for alternating current systems—specification Part 2 metal oxide lightning arresters without gaps	—	93-04-30

1	2	3	4
36. IS 3667:1993 Textiles—B-Twill Jute cloth—specification (Second Revision)	IS 3667:1966		93-05-31
37. IS 3865:1993 Beer—specification (Second Revision)	IS: 3865:1966		93-05-31
38. IS 3884:1993 Canned tomato concentrate—tomato paste—specification (First Revision)	IS 3884:1966		93-07-31
39. IS 4111(Part 5):1993 Code of practice for ancillary structures in sewerage system Part 5 tidal outfalls.	—		93-05-31
40. IS 4211:1993 Gauges—thread pitch gauges for ISO metric screw threads (Pitch range 0.4 to 6 mm)—specification (First Revision)	—		93-03-30
41. IS 4410 (Part 12): 1993 Glossary of terms relating to river valley projects Part 12 diversion works. (First Revision)	—		93-07-31
42. IS 4468 (Part 3): 1993 Agricultural wheeled tractors rear-mounted three-point linkage Part 3 category 4 (First Revision)	—		93-02-28
43. IS 4613:1993 Javelins—Specification (First Revision)	IS 4613:1968		93-05-31
44. IS 4833:1993 Methods for field testing of preservatives in wood (First Revision)	IS 4833:1968		93-03-30
45. IS 4979:1993 Table tennis table—specification (First Revision)	IS 4979:1993		93-05-31
46. IS 5706:1993 Optical instruments—spirit levels for use in precision engineering —specification (First Revision)	IS 5706:1970		93-05-31
47. IS 5861:1993 Jams, jellies and marmalades—specification (First Revision)	IS 5861:1970		93-05-31
48. IS 5644 (Part 2):1993 Metallic powders—determination of oxygen content by reduction methods Part 2 loss of mass on hydrogen reduction (Hydrogen loss) (Third Revision)	IS 5644:1970		93-02-28
49. IS 5652 (Part 1):1993 Hardmetals—rockwell hardness test (Scale A) Part 1 Test Method. (Second Revision)	IS 5652:1972		93-02-28
50. IS 5966:1993 Non-coniferous timber in converted form for general purposes—specification (First Revision)	IS 5966:1970		93-02-28

Copies of these Indian Standards are available for sale with the Bureau of Indian Standards, Manak Bhawan, 9 Bahadur Shah Zafar Marg, New Delhi 110002 and Regional Offices : New Delhi, Calcutta, Chandigarh, Madras Bombay and also Branch Offices: Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Coimbatore, Faridabad, Ghaziabad, Guwahati, Hyderabad, Jaipur, Kanpur, Lucknow, Patna, Thiruvananthapuram.

[No. CMD/13:2]

N. SRINIVASAN, Addl. Dir. General

नई दिल्ली, 28 फरवरी, 1994

का आ 558 :—भारतीय मानक ब्यूरो नियम, 1987 के नियम 7 के उपनियम (1) की खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि जिस/जिन भारतीय मानक/मानकों, का./के विवरण नीचे अनुसूची में दिया गया है/दिए गए हैं, वह/वे स्थापित हो गया है/हो गए हैं।

अनुसूची

क्रम सं.	स्थापित भारतीय मानक (को) की संख्या वर्ष और शीर्षक	नए भारतीय मानक द्वारा अतिक्रमित भारतीय मानक अथवा मानकों, यदि कोई हों, की सं० और वर्ष	स्थापित तिथि
1	2	3	4
1.	आईएस : 101 (भाग 8/खंड 6)—1993 रोगन घातिन और संबद्ध उत्पादों के नमूने लेने और परीक्षण की विधियां भाग 8 वर्ण को और अन्य ठोसों का परीक्षण खंड 6 आयतनी ठोस।	—	1993-04-30
2.	आईएस : 507—1993 रक्षा उपयोगों हेतु सामान्य प्रयोजी ग्रीज—विशिष्ट (तीसरा पुनरीक्षण)	आईएस : 507—1953	1993-06-30
3.	आईएस : 699 (भाग 1)—1993 वस्त्रादि मशीनरी और सहायकांग—पटसन वेष्टन मशीन हेतु क्राम बाउन्ड स्पूल सेंटर भाग 1 स्पूल वेष्टन मशीन हेतु स्पूल सेंटर (दूसरा पुनरीक्षण)	—	1993-06-30
4.	आईएस : 699 (भाग 2)—1993 वस्त्रादि मशीनरी और सहायकांग—पटसन वेष्टन मशीन हेतु क्राम बाउन्ड स्पूल सेंटर भाग 2 यथार्थ वेष्टन मशीन हेतु स्पूल सेंटर	—	1993-05-31
5.	आईएस : 1878 (भाग 1)—1993 सामान्य प्रयोजी समांतर खराद हेतु परीक्षण चार्ट भाग 1 800 मिमी तक स्विंग ओवरबैंड सहित खराद (दूसरा पुनरीक्षण)	आईएस : 1878—1971	1993-05-31
6.	आईएस : 1882—1993 जन सम्बोधन प्रणाली का भवनों के बाहर संस्थापन—रीति संहिता (पहला पुनरीक्षण)	आईएस : 1882—1961	1993-04-30
7.	आईएस : 2203—1993 लकड़ी के क्राम हथ्ये—विशिष्ट (दूसरा पुनरीक्षण)	आईएस : 2203—1902	1993-04-30
8.	आईएस : 2791—1992 विलेय काफी पाउडर—विशिष्ट (दूसरा पुनरीक्षण)	आईएस : 2791—1964	1993-04-30
9.	आईएस : 2848—1993 मिरोमिक उद्योग हेतु चाटना मिट्टी (क्ले)—विशिष्ट (पहला पुनरीक्षण)	आईएस : 2840—1965	1993-04-30
10.	आईएस : 3156 (भाग 4)—1992 बोल्डता ट्रांसफार्मर—विशिष्ट भाग 4 संधारित्र बोल्डता (दूसरा पुनरीक्षण)	आईएस : 3156—1967	1993-08-31
11.	आईएस : 3399—1993 रबड़ उद्योग हेतु जिक आक्साइड—विशिष्ट (दूसरा पुनरीक्षण)	आईएस : 3399—1973	1993-06-30
12.	आईएस : 3447—1993 लाख का जोड़ने वाला यौगिक (पहला पुनरीक्षण)	आईएस : 3447—1965	1993-04-30

1	2	3	4
13.	आईएस : 5191-1993 सोडियम एलिमनेट खाद्य ग्रेड-विशिष्ट (पहला पुनरीक्षण)	आईएस : 5191-1859	1993-02-28
14.	आईएस : 5805-1993 वॉल पाइन्ट पेनरिफिन के लिए स्याही-विशिष्ट (पहला पुनरीक्षण)	आईएस : 5805-1970	1993-04-30
15.	आईएस : 7098 (भाग 3)-1992 कास बंधित पॉली-इथालीन रोधित थर्मोप्लास्टिक का खोल चढ़ी केबल विशिष्ट भाग 366 किगो तथा 220 किगो तक कार्य-कारी बोल्टता हेतु	आई	1993-04-30
16.	आईएस : 13736 (भाग 2/खंड 4)-1993 पर्यावरणीय अवस्थाओं का वर्गीकरण भाग 2 प्रकृति में पैदा होने वाली पर्यावरणीय अवस्थाएं खंड 4 और विकिरण एवं ताप	---	1993-05-31
17.	आईएस : 13736 (भाग 2/खंड 7)-1993 पर्यावरणीय अवस्थाओं का वर्गीकरण भाग 2 प्रकृति में पैदा होने वाली पर्यावरणीय अवस्थाएं खंड 7 प्राणिजान एवं वनस्पति जात ।	---	1993-05-31
18.	आईएस : 13741 (भाग 2)-1993 कार्बाइड की नोक भाग 2 हल्के कटिंग कार्य में एक नोक वाले औजार हेतु कार्बाइड की नोक-विशिष्ट	---	1993-02-28
19.	आईएस : 13741 (भाग 7)-1993 कार्बाइड की नोक भाग 7 एकल बिंदु गोल नोक के टर्निंग औजार हेतु कार्बाइड की नोक	---	1993-04-30
20.	आईएस : 13749-1993 मोटरवाहन-एच-विन्दु का निर्धारण-परीक्षण विधि	---	1993-05-31
21.	आईएस : 13751-1993 कठोर धातु उद्योग हेतु टंगस्टन-विशिष्ट	---	1993-05-31
22.	आईएस : 13752-1993 इस्पात और कच्चे लोहे में तत्वों तथा इस्पात में यांत्रिक गुणधर्मों के रिपोर्टिंग क्रम के दिशानिर्देश	---	1993-05-31
23.	आईएस : 13758 (भाग 2)-1993 कोलतार पिच-परीक्षण विधि भाग 2 कोकिंग मान का निर्धारण	---	1993-08-31
24.	आईएस : 13767 : 1993 प्रकाशिकी एवं प्रकाशिक यंत्र-सम्पर्क लैन्स-पारिभाषिक शब्दावली एवं प्रतीक	---	1993-05-31
25.	आईएस : 13775 (भाग 1)-1993 कनेवेयर वेल्टिंग-ठोस बुनी सूती/संश्लिष्ट आबद्ध और अनाबद्ध-विशिष्ट भाग 4 वायु गुरुत्व कनेवेयर के लिए एरिओशलाइड वेल्टिंग	---	1993-05-31
26.	आईएस : 13778 (भाग 6)-1993 वेष्टन तार की परीक्षण विधि भाग 6 तापीय गुणधर्म	---	1993-07-31
27.	आईएस : 13780-1993 कठोर धातुएं-संपीड़न परीक्षण	---	
28.	आईएस : 13782-1993 पारगम्य सिन्डरित धातु सामग्री-द्रव पारगम्यता का निर्धारण	---	1993-06-30

1	2	3	4
29.	आईएस : 13784-1993 कृषि कीट नाशी—डोडीन तकनीकी ग्रेड—विशिष्ट	---	1993-05-30
30.	आईएस : 13786-1993 कृषि कीट नाशी—बीनो माइल—विशिष्ट	---	1993-05-30
31.	आईएस : 13796-1993 स्नेहकों हेतु मौलीब्डनम डाइसल्फाइड—विशिष्ट	---	1993-07-31
32.	आईएस : 13806-1993 घरेलू मिलाई मशीन—बंद टाइप गटल रेस एसेम्बली—विशिष्ट	---	1993-05-30
33.	आईएस : 13837-1993 ब्रेल इन्प्लीकेटिंग मशीन—विशिष्ट	---	1993-07-31
34.	आईएस : 13833-1993 पेट्रोलियम से व्युत्पन्न सूक्ष्म क्रिस्टलीय मोम	---	1993-07-31
35.	आईएस : 13801-1993 सीमेंट कंक्रीट की चारखाने दार टाइल—विशिष्ट	---	1993-07-31
36.	आईएस : 13804-1993 अन्तःदेशीय जलपोत—ड्रेगर हेतु णीव—आयाम	---	1993-07-31
37.	आईएस : 13817-1993 मिट्टी में कार्य करने वाला उपस्कर—बरानी जमीन से खरपतवार उखाड़ने वाला हस्तचलित यंत्र	---	1993-08-31
38.	आईएस : 13819-1993 कृत्रिम बीजारोपण गन—विशिष्ट	---	1993-08-31
39.	आईएस : 13838-1993 धातुओं का यांत्रिक परीक्षण—पॉइसन अनुपात का निर्धारण	---	1993-07-31
40.	आईएस : 13947 (भाग 4/खंड 1)—1993 अल्प चोलता स्विचगीयर और कंट्रोल्गीयर भाग 4 कान्टेक्टर एवं मोटर स्टार्टर खंड 1 विद्युत यांत्रिकीय कंटेक्टर और मोटर स्टार्टर	---	1993-05-30

इन मानकों की प्रतियां भारतीय मानक ब्यूरो, मानक भवन, 9 बहादुरशाह जफर मार्ग नई दिल्ली-110002 और क्षेत्रीय कार्यालयों, बम्बई, कलकत्ता, चण्डीगढ़ और मद्रास तथा शाखा कार्यालयों अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, गुवाहाटी, हैदराबाद जयपुर, कानपुर, पटना और त्रिनेन्द्रम, गाजियाबाद तथा फरीदाबाद में विक्री हेतु उपलब्ध हैं।

[सं. के. प्र. वि./13:2]

एन. श्रीनिवासन, प्रपर महानिदेशक

MINISTRY OF CIVIL SUPPLIES
CONSUMER AFFAIRS & PUBLIC DISTRIBUTION
BUREAU OF INDIAN STANDARD

New Delhi, the 28th January, 1994

S.O. 558.—In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, The Bureau of Indian Standards hereby notifies that the Indian Standard(s), Particulars of which is/are given in the Schedule hereto annexed, has/have been established on the date indicated against each :

SCHEDULE

Sl. No. year and Title of the No. Established.	Indian Standard(s)	No. and year of the Indian Standard or Standards, if any superseded by the new Indian Standard	Date of Establishment
1	2	3	4
1. IS 101 (Part 8/Sec 6):1993 Methods of sampling and test for paints, varnishes and related products part 8 tests for pigments and other solids Section 6 volumes solids		—	93-04-30
2. IS 507:1993 General purposes grease for defence applications—specification (Third Revision)		IS 507:1953	93-06-30
3. IS 699 (Part 1): 1993 Textile machinery and accessories cross wound spool centres for jute winding machines specification Part 1 spool centres for spool winding machines (Second Revision)		—	93-06-30
4. IS 699 (Part 2):1993 Textile machinery and accessories—cross wound spool centres for jute winding machines—specification Part 2 spool centres for precision winding machines		—	93-05-31
5. IS 1878 (Part 1): 1993 Test chart for general purpose parallel lathes Part 1 Lathes with swing over bed up to 800 mm (Second Revision)		IS 1878-1971	93-05-31
6. IS 1882: 1993 Outdoor installation of public address system—code of practice. (First Revision)		IS 1882:1961	93-04-30
7. IS 2203-1993 Wooden cross arms—specification (Second Revision)		IS 2203-1962	93-04-30
8. IS 2791-1992 Soluble coffee powder—specification (Third Revision)		IS 2791-1964	93-04-30
9. IS 2840-1993 China clay for ceramic industry—specification (First Revision)		IS 2840-1965	93-04-30
10. IS 3156 (Part 4): 1992 voltage transformers—specification Part 4 capacitor voltage transformers (Second Revision)		IS 3156-1967	93-08-31
11. IS 3399-1993 Zinc oxide for rubber industry—specification (Second Revision)		IS 3399-1975	93-06-30
12. IS 3447-1993 Shellac jointing compound—specification (First Revision)		IS 3447-1965	93-04-30
13. IS 5191:1993 Sodium alginate, food grade—specification (First Revision)		IS 5191-1969	93-02-28
14. IS 5805-1993 Ink, ball point pen refill—specification (First Revision)		IS 5805-1970	93-04-30

1	2	3	4
15.	IS 7098 (Part 3) : 1993 Cross-linked polyethylene insulated thermoplastic sheathed cables—specification part 3 for working voltages from 66 kv up to and including 220 kv	—	93-04-30
16.	IS 13736 (Part 2/Sec 4): 1993 Classification of environmental conditions Part 2 environmental conditions, appearing in nature Section 4 solar radiation and temperature	—	93-05-31
17.	IS 13736 (Part 2/Sec 7): 1993 Classification of environmental conditions Part 2 environmental conditions appearing in nature Section 7 fauna and flora.	—	93-05-31
18.	IS 13741(Part 2): 1993 Carbide tips Part 2 carbide tips for single point tools for light cutting operations—specification.	—	93-02-28
19.	IS 13741 (Part 7) : 1993 Carbide tips Part 7 carbide tips for single point round nose turning tools —specification	—	93-04-30
20.	IS 13749 : 1993 Automotive vehicle—determination of H-point—method of test.	—	93-05-31
21.	IS 13751 : 1993 Tungsten ore for hard metal industry—specification	—	93-05-31
22.	IS 13752:1993 Guidelines for reporting sequence of elements in steel and pig iron and mechanical properties in steels	—	93-05-31
23.	IS 13758 (Part 2): 1993 Coal tar pitch—methods of test Part 2 determination of coking value.	—	93-08-31
24.	IS 13767 : 1993 Optics and optical instruments—contact lenses—vocabulary and symbols	—	93-05 31
25.	IS 13775 (Part 1):1993 Conveyor belting—solid woven cotton/synthetic impregnated and unimpregnated—specification Part 1 aeroslide belting for air gravity conveyor	—	93-05-31
26.	IS 13778 (Part 6): 1993 Methods of test for winding wire Part 6 thermal properties.	—	93-07-31
27.	IS 13780:1993 Hardmetals—compression test.	—	93-07-31
28.	IS 13782:1993 Permeable sintered metal materials—determination of fluid permeability	—	93-06-30
29.	IS 13784 : 1993 Pesticide—Dodine, technical—specification	—	93-05-30
30.	IS 13786:1993 Pesticide—Benomyl, technical—specification	—	93-05-30
31.	IS 13796 : 1993 Molybdenum disulphide powder for lubricants—specification	—	93-07-31
32.	IS 13806 : 1993 Household sewing machine—closed type shuttle race assembly—specification	—	93-05-30
33.	IS 13837:1993 Braille duplicating machine—specification	—	93-07-31

1	2	3	4
34.	IS 13833:1993 Microcrystalline wax derived from petroleum—specification.	—	93-07-31
35.	IS 13801:1993 Chequered cement concrete tiles—specification	—	93-07-31
36.	IS 13804:1993 Inland vessels—sheaves for dredgers—dimensions	—	93-07-31
37.	IS 13817:1993 Soil working equipment—dry land weeders, manually operated—specification	—	93-08-31
38.	IS 13819:1993 Artificial insemination guns—specification.	—	93-08-31
39.	IS 13838:1993 Mechanical testing of metals—determination of poison's ratio	—	93-07-31
40.	IS 13947(Part 4/Sec 1):1993 Specification for low-voltage switchgear and controlgear Part 4 contactors and motor-starters section 1 electromechanical contactors and motor starters.	—	93-05-30

Copies of these Indian Standards are available for sale with the Bureau of Indian Standards, Manak Bhavan, 9 Bahadur Shah Zafar Marg, New Delhi-110002 and Regional Offices: New Delhi, Calcutta, Chandigarh, Madras, Bombay, and also Branch Offices: Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Coimbatore, Faridabad, Ghaziabad, Guwahati, Hyderabad, Jaipur, Kanpur, Lucknow, Patna, Thiruvananthapuram.

[No. CMD/13:2]

M. SRINIVASAN, Addl. Director General

पेट्रोलियम और प्राकृतिक गैस मंत्रालय

नई दिल्ली, 9 फरवरी, 1994

का.प्र. 559 — यतः पेट्रोलियम और खनिज पार्श्वताईन भूमि में उपयोग के अधिकार का अर्जन अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना का.प्र.सं. 2624 तारीख 6-10-90 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग के अधिकार को पार्श्वताईनों को विछाने के लिए अर्जित करने का अपना प्राश्य घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे, यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों को उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रवृत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पार्श्वताईन विछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने की बजाय तेल और प्राकृतिक

गैस प्रायोग में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की इस तारीख को निहित होगा।

अनुसूची

जी एनएफ टी (आईजीएन-44) में ईपीएस तथा पार्श्व लाईन विछाने के लिए।

राज्य : गुजरात	जिला : भरुच	तालुका : बागरा			
गांव	क्याक नं.	है.	घार	सेंटी.	
गंधार	322/ए/बी/	02	38	0.1	

[गं. 11027/102/90-ओएनजी-डी-III]

एम. माटिन, डैस्क अधिकारी

MINISTRY OF PETROLEUM AND NATURAL GAS

New Delhi, the 9th February, 1994

S.O. 559.—Whereas by notification of the Government of India in the Ministry of Petroleum and Natural Gas S.O. No. 2624 dated 6-10-90 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in lands specified in the schedule appended to that notification for the purpose of laying pipeline.

And whereas the Competent Authority has under sub-section (1) of the Section 6 of the said Act, submitted report of the Government.

And further whereas the Central Government has, after considering the said report decided to acquire the right of user in the lands specified in the schedule appended to this notification ;

Now, therefore, in exercise of the power conferred by sub-section (1) of Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline ;

And further in exercise of power conferred by sub-section (4) of the section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration in the Oil and Natural Gas Commission free from all encumbrances.

SCHEDULE

Pipeline from GNFT (IGN-44) to EPS

State : Gujarat District - Bharuch Taluka : Vagra

Village	Block No.	Hect.	Are.	Cent.
Gandhar	322/A/B	02	38	03

[No. O-11027/102/90-ONG-D III]

M. MARTIN, Desk Officer

नई दिल्ली, 9 फरवरी, 1994

का.भा. 560.—यतः पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के) पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना का.भा. 2635 तारीख 6-10-90 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग के अधिकार की पाइपलाइनों को बिछाने के लिए अर्जन करने का अपना प्राणय घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों को उपयोग का अधिकार अर्जन करने का विनियमन किया है।

अब, अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्द्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जन किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने की बजाय तब और प्राकृतिक गैस प्रायोग में, सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की इस तारीख को निहित होगा।

अनुसूची

जो एन या एक से जो एन बी आई डिब्बर तथा पाइप लाइन बिछाने के लिए

राज्य : गुजरात	जिला - भरुच	तासुका : वाग्रा			
गांव	ब्लॉक नं.	हे.	घोर	सेंटी.	
अलादर	56/पि	03	19	04	
	111	0	00	24	
	113	0	38	48	
	112	0	09	10	

[मं. O-11016/83/90/ओएनजी-डी-III]

एम. मार्टिन, डेस्क अधिकारी

New Delhi, the 9th February, 1994

S.O. 560.—Whereas by notification of the Government of India in the Ministry of Petroleum and Natural Gas S.O. No. 2635 dated 6-10-90 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in lands specified in the schedule appended to that notification for the purpose of laying pipeline.

And whereas the Competent Authority has under sub-section (1) of Section 6 of the said Act, submitted report of the Government ;

And further, whereas the Central Government has, after considering the said report decided to acquire the right of user in the lands specified in the schedule appended to this notification ;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline ;

And further in exercise of power conferred by sub-section (4) of the section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration in the Oil and Natural Gas Commission free from all encumbrances.

SCHEDULE

Pipeline GNCF to GNBI Header

State : Gujarat District : Bharuch Taluka : Vagra

Village	Block No.	Hect.	Are.	Cent.
Aladar	56/P	03	19	04
	111	0	00	24
	113	0	38	48
	112	0	09	10

[F.No. O-11027/83/90-ONG-D-III]

M. MARTIN, Desk Officer

नई दिल्ली, 9 फरवरी, 1994

का.भा. 561.—यतः पेट्रोलियम और खनिज पाइपलाइन भूमि में उपयोग के अधिकार का अर्जन अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना का.भा. नं. 2607 तारीख 6-10-90 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग के अधिकार की पाइपलाइनों का बिछाने के लिए अर्जन करने का अपना प्राणय घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों को उपयोग का अधिकार अर्जन करने का विनियमन किया है।

अब, अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्द्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जन किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग

का अधिकार केन्द्रीय सरकार में निहित होने की बचाव तेल और प्राकृतिक गैस प्रायोग में, सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की इस तारीख को निहित होगा।

अनुसूची

जी. एन. डी. एन. (जी.टी.-14) से ई.पी.एम. तक पाइप लाइन बिछाने के लिए

राज्य : गुजरात	जिला : भरुच	तालुका : वाग्रा			
गांव	ब्लॉक नं.	हे.	घर.	सेटी.	
गंधार	322/ए	2	33	87	

[सं. O-11027/112/90/ओएनजी.-डी.-III]

एम. मार्टिन, डेस्क अधिकारी

New Delhi, the 9th February, 1994

S.O. 561.—Whereas by notification of the Government of India in the Ministry of Petroleum and Natural Gas S.O. No. 2607 dated 6-10-90 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in lands specified in the schedule appended to that notification for the purpose of laying pipeline.

And whereas the Competent Authority has under sub-section (1) of Section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has, after considering the said report decided to acquire the right of user in the lands specified in the schedule appended to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of powers conferred by sub-section (4) of the section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration in the Oil and Natural Gas Commission free from all encumbrances.

SCHEDULE

Pipeline from GNDN .GT-14) to FPS

State : Gujarat District : Bharuch Taluka : Vagra

Village	Block No.	Hect.	Are	Cent.
Gandhar	322/A	2	33	87

[No. O-11027/112/90-ONG-D-III]

M. MARTIN, Desk Officer.

नई दिल्ली, 9 फरवरी, 1994

का.आ. 562.—यतः पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना का.आ. सं. 3151 तारीख 24-11-90 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग के अधिकार को पाइपलाइनों को बिछाने के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे, यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करते के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब, यतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद् द्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइप लाइन बिछाने के प्रयोजन के लिए प्राप्त द्वारा अर्जित किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने की बचाव तेल और प्राकृतिक गैस प्रायोग में, सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की इस तारीख को निहित होगा।

अनुसूची

उद्देश से जिसको एक पाइप लाइन बिछाने के लिए

राज्य : गुजरात	जिला और तालुका :	बंदोदा			
गांव	ब्लॉक नं.	हे.	घर.	सेटी.	
एकोईया	412/2	0	06	97	
	412/1	0	00	80	
	411	0	08	25	
	410	0	03	20	
	413/1/बी	0	04	25	
	413/2	0	07	31	
	408	0	01	27	
	407	0	15	10	
	406	0	02	77	
	405	0	17	40	
	367	0	03	85	
	397	0	16	80	
	372	0	01	11	
	373	0	02	00	
	376	0	04	14	
	375/1	0	08	74	
	375/2	0	06	74	
	378	0	06	40	
	379/1	0	03	51	
	380	0	02	80	
	389/1	0	21	80	
	389/बी				
	389/2	0	05	95	
	382	0	00	95	
	381-389/4	0	37	00	
	387	0	03	75	
	388	0	11	76	
	326	0	16	83	

[सं. O-11027/124/90-ओएनजी.-डी.-III]

एम. मार्टिन, डेस्क अधिकारी

New Delhi, the 9th February, 1994

S.O. 562.—Whereas by notification of the Government of India in the Ministry of Petroleum and Natural Gas S.O. No. 3151 dated 24-11-90 under sub-section (1) of Section

3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in lands specified in the schedule appended to that notification for the purpose of laying pipeline.

And whereas the Competent Authority has under sub-section (1) of the Section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has, after considering the said report decided to acquire the right of user in the lands specified in the schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of power conferred by sub-section (4) of the section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration in the Oil and Natural Gas Commission free from encumbrances.

SCHEDULE

Pipeline from UNDERA to GIPCO (Revised)

State : Gujarat District & Taluka : Vadodra

Village	Survey No.	Hect.	Ac.	Cent
Ankodia	412/2	0	06	97
	412/1	0	00	80
	411	0	08	25
	410	0	05	20
	413/1/B	0	04	25
	413/2	0	07	31
	408	0	01	27
	407	0	15	10
	406	0	02	77
	405	0	17	40
	367	0	03	85
	397	0	16	80
	372	0	01	11
	373	0	02	00
	376	0	04	14
	375/1	0	06	74
	375/2	0	06	74
	378	0	06	40
	379/1	0	08	51
	380	0	02	80
	389/1	0	21	80
	389/P			
	389/2	0	05	95
	382	0	00	95
	381-1-389/4	0	27	00
	387	0	03	75
	388	p	11	76
	326	0	16	83

[No. O-11027/124/90-ONG-D-III]

M. MARTIN, Desk Officer

नई दिल्ली, 9 फरवरी, 1994

का.आ. 563-यन. पेट्रोलियम और खनिज पाईपलाइन (भूमि में उपयोग के अधिकार का अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना का.आ. सं. 858 तारीख 429 GI/94-4.

7-4-90 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग के अधिकार की पाईपलाइनों को बिछाने के लिए अर्जित करने का आदेश अधिनियम को संशोधित कर दिया था।

और यः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे यः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों को उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियां में उपयोग का अधिकार पाईपलाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

और आगे उक्त धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देता है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने का बजाए तब और प्राकृतिक गैस अधिनियम में समान बाधाओं से मुक्त रूप में घोषणा के प्रकाशन का इस तारखे का निहित होगा।

अनुसूची

एन.के.एफ.एन. से एन.के.एफ.एन. तक पाईप लाईन बिछाने के लिए
राज्य : गुजरात जिला : ब्रह्मदाबाद तालुका : खिरमगाम

गांव	सर्वे नं.	है.	आर	सेंटी
अदाराया	44	00	04	44

[सं. O-11037/28/90-आ.न.गै.-डी-III]

एम. मार्टिन, डेस्क अधिकारी

New Delhi, the 9th February, 1994

S.O. 563.—Whereas by notification of the Government of India in the Ministry of Petroleum and Natural Gas S.O. No. 858 dated 7-4-90 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in lands specified in the schedule appended to that notification for the purpose of laying pipeline.

And whereas the Competent Authority has under sub-section (1) of Section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has, after considering the said report decided to acquire the right of user in the lands specified in the schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of power conferred by sub-section (4) of the section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration in the Oil and Natural Gas Commission free from encumbrances.

SCHEDULE

Pipeline from NKFN to NKFM

State: Gujarat District : Ahmedabad Taluka : Viramgam

Village	Survey No.	Hect.	Are	Cent.
Bhatarla	44	00	04	44

[No. O-11027/28/90-ONGD-III]

M. MARTIN, Desk Officer

नई दिल्ली, 9 फरवरी, 1994

का.आ. 564.—यन. पेट्रोलियम और खनिज पाईपलाइन (भूमि में उपयोग के अधिकार का अधिनियम 1962 (1962 का 50) की धारा 3 का उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिवृत्त का.आ. सं. 2620 तारीख 6-10-90 द्वारा केन्द्रीय सरकार ने उस अधिवृत्त में संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग के अधिकार को पाईपलाइनों को बिछाने के लिए अर्जित करने का आना आशय घोषित कर दिया था।

और यन. सक्षम प्राधिकारों ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे यन. केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिवृत्त से संलग्न अनुसूची में विनिर्दिष्ट भूमियों का उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब आन. उक्त अधिनियम का धारा 6 की उपधारा (ii) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिवृत्त में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाईपलाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निदेश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय तेल और प्राकृतिक गैस आयोग में सभी बाधाओं से मुक्त रूप में वापस के प्रकाशन को इस तारीख को निहित होगा।

अनुसूची

जी.एन.डी. डब्ल्यू. (जी.आर.-9) से ई.पी.एस. गंधार तक पाइप लाइन बिछाने के लिए

राज्य: गुजरात	जिला: भरुच	तालुका: वागड़ा			
गांव	ब्लॉक नं.	है.	अर.	सेंटा.	
गंधार	322/ए	1	05	56	

[सं. O-11027/106/90-ONGD-III]

एम. मार्टिन, डेस्क अधिकारी

New Delhi, the 9th February, 1994

S.O. 564.—Whereas by notification of the Government of India in the Ministry of Petroleum and Natural Gas S.O. No. 2620 dated 6-10-90 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in lands specified in the schedule appended to that notification for the purpose of laying pipeline.

And whereas the Competent Authority has under sub-section (1) of Section 6 of the said Act, submitted report of the Government;

And further whereas the Central Government has, after considering the said report decided to acquire the right

of user in the lands specified in the schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of power conferred by sub-section (4) of the section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration in the Oil and Natural Gas Commission free from encumbrances.

SCHEDULE

Pipeline from GNDW (GR-9) to EPS Gandhar

State : Gujarat District : Bhruach Taluka Vagra.

Village	Block No.	Hect	Are	Cent.
GANDHAR	322/A	1	05	56

[No. O-11027/106/90-ONGD-III]

M. MARTIN, Desk Officer

नई दिल्ली, 9 फरवरी, 1994

का.आ. 565.—यन. पेट्रोलियम और खनिज पाईपलाइन (भूमि में उपयोग के अधिकार का अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (i) के अधीन भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिवृत्त का.आ. सं. 2609 तारीख 6-10-90 द्वारा केन्द्रीय सरकार ने उस अधिवृत्त में संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग के अधिकार को पाईपलाइनों को बिछाने के लिए अर्जित करने का आना आशय घोषित कर दिया था।

और यन. सक्षम प्राधिकारों ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे यन. केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिवृत्त से संलग्न अनुसूची में विनिर्दिष्ट भूमियों का उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब यन. उक्त अधिनियम की धारा 6 की उपधारा (i) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिवृत्त में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाईपलाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निदेश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने का बजाय तेल और प्राकृतिक गैस आयोग में सभी बाधाओं से मुक्त रूप में वापस के प्रकाशन को इस तारीख को निहित होगा।

अनुसूची

जिला जे.एन. से ई.पी.एस. तक पाईप लाइन बिछाने के लिए

राज्य: गुजरात	जिला: भरुच	तालुका: वागड़ा			
गांव	ब्लॉक नं.	है.	अर.	सेंटा.	
इ/नवा	459	01	48	72	
	470	0	16	90	
	469	0	19	76	

[सं. O-11027/110/90-आ.न.डी. -III]

एम. मार्टिन, डेस्क अधिकारी

New Delhi, the 9th February, 1994

S.O. 565.—Whereas by notification of the Government of India in the Ministry of Petroleum and Natural Gas S.O. No. 2609 dated 6-10-90 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in lands specified in the schedule appended to that notification for the purpose of laying pipeline.

And whereas the Competent Authority has under sub-section (1) of the Section 6 of the said Act, submitted report of the Government;

And further whereas the Central Government has, after considering the said report decided to acquire the right of user in the lands specified in the schedule appended to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of power conferred by sub-section (4) of the section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration in the Oil and Natural Gas Commission free from encumbrances.

SCHEDULE

Pipeline from GNGN to I.P.S.

State : Gujarat District : Bharuch Taluka : Amod

Village	Block No.	Hect.	Are	Centiare
DENVA	459	01	8	72
	470	0	16	90
	469	0	19	76

[No. C-11027/31/90-ONGD-III]

M. MARTIN, Desk Officer

नई दिल्ली, 9 फरवरी, 1994

का.आ. 566—यतः पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिमूर्चना का.आ. सं. 857 तारीख 7-4-90 द्वारा केन्द्रीय सरकार ने उस अधिमूर्चना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग के अधिकार को पाइपलाइनों को बिछाने के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे, यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिमूर्चना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब, अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करने हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिमूर्चना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

और आगे उक्त धारा की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार से निहित होने का बराबर तब और प्राकृतिक

गैस आयोग में, सभी आवाजों से सुन रूप में धारणा के प्रकाशन की इस तारीख को निहित होगा।

अनुसूचा

जा.एन.ई.जी. (जीआर-19) से इपॉण्ड तक पाइपलाइन बिछाने के लिए

राज्य : गुजरात	जिला : भारुच	तालुका : वागडा			
गांव	ब्लाक नं.	हे	आर	सेटी	
गंधार	321	01	45	84	
	322/ए-बी	01	50	08	

[सं. O-11027/31/90-ONGD-III]

एम. मार्टिन, डेस्क अधिकारी

New Delhi, the 9th February, 1994

S.O. 566.—Whereas by notification of the Government of India in the Ministry of Petroleum and Natural Gas S.O. No. 857 dated 7-4-90 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in lands specified in the schedule appended to that notification for the purpose of laying pipeline.

And whereas the Competent Authority has under sub-section (1) of the Section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has, after considering the said report decided to acquire the right of user in lands specified in the schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of power conferred by sub-section (4) of the section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration in the Oil & Natural Gas Commission free from encumbrances.

SCHEDULE

Pipeline from GNEG (GR-19) to E.P.S.

State : Gujarat District : Bharuch Taluka : Vagra.

Village	Block No.	Hect.	Are	Cent.
GANDHAR	321	01	45	84
	322/A-B	01	50	08

[No. O-11027/31/90-ONGD-III]

M. MARTIN, Desk Officer

नई दिल्ली, 11 फरवरी, 1994

का.आ. 567—केन्द्रीय सरकार ने पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) धारा 3 की उपधारा (1) के अधीन जारी की गई भारत

सरकार के पेट्रोलियम और प्राकृतिक गैस संस्थान की अधिसूचना सं. का.ग्रा. 2684, तारीख 13 अक्टूबर, 1990 द्वारा उस अधिसूचना के संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार को, पेट्रोलियम के परिवहन के लिए पाइपलाइन बिछाने के प्रयोजनों के लिए, अर्जित करने के अपने आशय की घोषणा की थी;

इस अधिसूचना की अनुसूची में वर्णित भूमि की विनिर्दिष्टियों के संबंध में मुद्रण सम्बन्धी भूलों को ठीक करने के लिए भारत के राजपत्र, तारीख 29 मई, 1993, में अधिसूचना संख्या का.ग्रा. 1110, तारीख 10 मई, 1993 को जारी और प्रकाशित की गई थी, और अधिसूचना संख्या का.ग्रा. 1110 में वर्णित भूमि की विनिर्दिष्टियों के सिवाय अधिसूचना संख्या का.ग्रा. 2684 में वर्णित भूमि की विनिर्दिष्टियों के बारे में कार्यवाई पहले ही निहित अवधि के भीतर की जा चुकी है और अधिसूचना संख्या का.ग्रा. 38, तारीख 4-1-92, भूमि में उपयोग के अधिकार का अर्जन करने के लिए जारी की गई है;

और सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) का अनुसरण करते हुए अधिसूचना संख्या का.ग्रा. 1140 में वर्णित भूमि की विनिर्दिष्टियों के सम्बन्ध में अपनी रिपोर्ट केन्द्रीय सरकार को दे दी है;

और केन्द्रीय सरकार का उक्त रिपोर्ट पर विचार करने के पश्चात् समाधान हो गया है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार को अर्जित किया जाना चाहिए;

अतः अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार को अर्जित किया जाता है;

और केन्द्रीय सरकार, उक्त धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, आगे यह निर्देश देती है कि उक्त भूमि में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाए, सभी बिल्डिंगों से मुक्त इंडियन ऑयल कॉर्पोरेशन लिमिटेड में निहित होगा :-

अनुसूची				
तहसील : फागी	जिला : जयपुर	राज्य : राजस्थान	क्षेत्रफल	
गांव का नाम	खसरा सं.	हे.	घारे.	सेंटी. घारे.
1	2	3	4	5
माधोरजपुरा	1334	00	06	84
चितीड़	1019	00	14	40
मानपुरोड	112	00	04	68
	84	00	07	72
बासरी जोगियान	567	00	12	60

[संख्या-आर. 31015/33/93-ओ.आर.-1)]

कुलदीप सिंह, अवसर सचिव

New Delhi, the 11th February, 1994

S.O. 567.—Whereas by the notification of the Government of India in the Ministry of Petroleum and Natural Gas No. S.O. 2684, dated the 13th October, 1990, issued under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), (hereinafter referred to as the said Act), the Central Government declared its intention to acquire the right of user in lands specified in the Schedule appended to that notification for the purposes of laying pipeline for the transport of petroleum;

Whereas the notification No. S.O. 1140, dated the 10th May, 1993, was issued and published in the Gazette of India dated 29th May, 1993, for correcting the printing mistakes in respect of the land particulars mentioned in the schedule to this notification; and whereas the action about the land particulars mentioned in the notification No. S.O. 2684, except the land particulars mentioned in No. S.O. 1140; has already been taken within the prescribed period and No. S.O. 38, dated 4-1-92, has been issued for acquiring the right of user in the lands;

And whereas the Competent Authority in pursuance of sub-section (1) of Section 6 of the said Act has made his report to the Central Government with regard to the land particulars mentioned in the notification No. S.O. 1140;

And whereas the Central Government after considering the said report is satisfied that the right of user in the lands specified in the Schedule appended to this notification should be acquired;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 6 of the said Act, the Central Government hereby declares that the right of user in the land specified in the Schedule appended to this notification are hereby acquired;

And further in exercise of the powers conferred by sub-section (4) of the said section the Central Government hereby directs that the right of user in the said lands shall instead of vesting in the Central Government vest, free from all encumbrances, in the Indian Oil Corporation Limited :—

SCHEDULE

Tehsil : Phagi	District : Jaipur	State : Rajasthan		
Name of village	Khasra No.	Area		
		Hect.	Are	Centiare
1	2	3	4	5
Madhoraj Pura	1334	00	06	84
Chcetoada	1019	00	14	40
Manpur Get	112	00	04	68
	84	00	07	72
Basri Joge Yan	567	00	12	60

[No. R-31015/33/93 OR-I]
KULDIP SINGH, Under Secy.

नई दिल्ली, 11 फरवरी, 1994

का.ग्रा. 568—केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 2 के खण्ड (क) का अनुसरण करते हुए और भारत सरकार के पेट्रोलियम और प्राकृतिक गैस की अधिसूचना सं. का.ग्रा. 603, तारीख 24 जनवरी, 1985 को अधिकांश करने हुए, नीचे की अनुसूची के स्तम्भ 1 में उल्लिखित प्राधिकारी को, उक्त अनुसूची के स्तम्भ 2 में की तस्खानों प्रविष्टि में उल्लिखित क्षेत्रों के भीतर उक्त अधिनियम के उपबन्ध के अधीन सक्षम प्राधिकारी के कृत्य करने के लिए प्राधिकृत करती है :-

प्राधिकारी का नाम और पता	प्राधिकारिता क्षेत्र
1	2
श्री यू. चालादार, उप प्रबंधक, इंडियन ऑयल कॉर्पोरेशन लिमिटेड,	विहार राज्य

1

श्री उ. चहलदार, पादपलावन,
बाराणसी-कानपुर उत्पादन प्रणाली,
प.ओ. बाराणी रिफ़िनरी,
पिन-कोड-851 014

[गं. आर-31015/51/93-ओ. आर-1]

कुलदीप सिंह, अधीन सूचित

New Delhi, the 11th February, 1994

S.O. 568.—In pursuance of clause (a) of section 2 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) and in supersession of the notification of the Government of India in the Ministry of Petroleum and Natural Gas No. S.O. 603, dated the 24th January, 1985, the Central Government hereby authorises the authority mentioned in column 1 of the Schedule below to perform the functions of the competent authority under the provisions of the said Act, within the areas mentioned in the corresponding entry in column 2 of the said Schedule;

SCHEDULE

Name and Address of the authority	Area of jurisdiction
1	2
Shri U. Chahladar, Deputy Manager, Indian Oil Corporation Ltd., Barauni-Kanpur Products Pipeline, P.O. Barauni Oil Refinery, District : Begusarai, Pin—851 014	Bihar State

[No. R-31015/51/93-OR-I]
KULDIP SINGH, Under Secy.

नई दिल्ली, 11 फरवरी, 1994

आ.आ. 569.—केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 2 के खंड (क) का अनुसरण करते हुए, नीचे की अनुसूची के स्तम्भ 1 में उल्लिखित प्राधिकारी को, उक्त अनुसूची के स्तम्भ 2 में की सहायनी प्रविष्टि में उल्लिखित क्षेत्रों के अन्तर्गत उक्त अधिनियम के उद्देश्य के अधीन सक्षम प्राधिकारी के कृत्य करने के लिए प्राधिकृत करती है—

प्राधिकारी का नाम और पता	अधिकारिता क्षेत्र
1	2
श्री विश्वनाथ बोस, उपेठ भूमि अर्जन/सम्पत्ति अधिकारी, हॉलियन ऑयल कं.पोरेजन्स लिमिटेड, (रिफ़ाइनरी/जं.उ. पाइपलाइन प्रोजेक्ट), हल्विया-बुधबुध पाइपलाइन प्रोजेक्ट, हाकधर-हल्विया रिफ़ाइनरी, जिला निबलापुर, पश्चिमी बंगाल।	पश्चिमी बंगाल राज्य

[गं. आर-31015/52/93-ओ. आर-1]

कुलदीप सिंह, अधीन सूचित,

New Delhi, the 11th February, 1994

S.O. 569.—In pursuance clause (a) of section 2 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) the Central Government hereby authorises the authority mentioned in column 1 of the Schedule below to perform the functions of the competent authority under the provision of the said Act, within the areas mentioned in the corresponding entry in column 2 of the said Schedule:

SCHEDULE

Name of Address of the authority	Area of jurisdiction
1	2
Shri Biswanath Bose, Senior Land Acquisition/Liaison Officer Indian Oil Corporation Limited, (Refineries and Pipelines Division) Haldia-Budge-Budge Pipeline Project, P.O. Haldia Refinery, District : Midnapur, West Bengal	State of West Bengal

[No. R-31015/52/93-OR I]
KULDIP SINGH, Under Secy.

नई दिल्ली, 14 फरवरी, 1994

आ.आ. 570.—केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन जारी की गई भारत के राजपत्र, भाग-2, खण्ड-3, उपखण्ड (ii) पृष्ठ 3411 में 3414 पर प्रकाशित भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय का अधिसूचना सं. का.आ. 2127, तारीख 13 नवम्बर, 1993 द्वारा उस अधिसूचना में संलग्न अनुसूची में वर्णित भूमि का अर्जन करने के अपने आदेश की सूचना दी थी;

और केन्द्रीय सरकार की जानकारी में यह पाया गया है कि राजपत्र में प्रकाशित उक्त अधिसूचना में गृहण प्रकृति की कुछ गलतियाँ हैं;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अधिसूचना में संलग्न अनुसूची में निम्नलिखित संशोधन करती है:—

पृष्ठ 3412 में, स्तंभ 2 में, '6547' के स्थान पर '1547' पढ़ें,

2 2

पृष्ठ 3412 में, मुरजुरा गांव के स्तम्भ 2 में, "813" के स्थान पर "812" और "833" के स्थान पर "813" पढ़ें।

पृष्ठ सं. 3413 में, गडियाणा गांव के स्तम्भ 2 में, "303" के स्थान पर "801" पढ़ें।

ऐसी भूमि में, जिसकी बाबत उपरोक्त संशोधन जारी किया गया है, हिनब्रु कोई व्यक्ति उस तारीख से, जिसकी इस अधिसूचना की प्रतियाँ माधुरा जनता को उपलब्ध करा दी जाती हैं, हाकोब दिन के अन्तर उक्त अधिनियम की धारा 5 की उपधारा (1) के निबंधों के अनुसार उक्त भूमि के सम्पूर्ण या किसी भाग के या ऐसी भूमि में या उस पर के किसी अधिकार के अर्जन किए जाने के संबंध में आक्षेप श्री राम बर्मा, ज्येष्ठ प्राधिकारी, हॉलियन ऑयल कं.पोरेजन्स लिमिटेड, डॉ-45/बी, सुधाष मार्ग, "सी" स्कोम, जयपुर (राजस्थान) को कर सकेगा।

स्पष्टीकरण—इस अधिसूचना के द्वारा संशोधित भूमियों, खसरा नं. और क्षेत्रफल का बाबत ही उक्त अधिनियम का धारा 5 का उद्देश्य (1) के निवेष्टनों के अनुसार इक्कीस दिन की उक्त अधि उम तारीख से आरम्भ होता है जिसका यह अधिसूचना राजपत्र में प्रकाशन के पश्चात् जनता को उपलब्ध करा दी जाती है।

[नं. आर-31015/40/93-आ आर-1]

कुलदीप सिंह, अवर सचिव

New Delhi the 14th February, 1994

S.O. 570.—Whereas by the notification of the Government of India in the Ministry of Petroleum and Natural Gas No. S.O. 2427, dated the 13th November, 1993, published in the Gazette of India, Part-II, Section 3, Sub-section (ii), at pages 3414 to 3417, issued under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government gave notice of its intention to acquire the lands specified in the Schedule appended to that notification;

And whereas, it has been brought to the notice of the Central Government that certain errors of printing nature have occurred in the publication of the said notification in the Gazette;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 3 of the said Act, the Central Government hereby amends the Schedule appended to the said notification as follows:—

At page 3415, in column 1, against Khasra No. 7869, the word "Mawasiya" shall be omitted, against Khasra No. 289, insert the name of Village "Mawasiya";

Any person interested in any land in respect of which the above amendment has been issued, may within twenty one days from the date on which the copies of this notification are made available to the general public, object to the acquisition of the whole or any part of the said land or any right in or over such land in terms of sub-section (1) of Section 5 of the said Act to Shri Ram Verma, competent authority, Indian Oil Corporation Ltd., D-45/B, Subhash Marg 'C' Scheme, Jaipur (Rajasthan).

Explanation.—In respect of the lands, Khasra Nos. and area amended through this notification only, the said period of twenty one days in terms of section 5, sub-section (1) of the said Act starts running from the date the notification is made available to the public after its publication in the Official Gazette.

[No. R-31015/40/93-OR-II]
KULDIP SINGH, Under Secy.

नई दिल्ली, 14 फरवरी, 1994

का.आ. 571:—केन्द्रीय सरकार को यह प्रतीत होता है, कि लोकहित में ऐसा आवश्यक है कि गुजरात राज्य में कांडला से पंजाब राज्य में बटिंडा तक राजस्थान और हरियाणा में होकर पेट्रोलियम के परिवहन के लिए इंडियन ऑयल कॉर्पोरेशन द्वारा पाइपलाइन बिछाई जाए;

और ऐसा प्रतीत होता है कि उक्त पाइपलाइन बिछाने के प्रयोजन के लिए अधिसूचना से उपाध्वत अनुसूची में वर्णित भूमि में उपयोग के अधिकार का अर्जन करना आवश्यक है।

अतः अब, केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उनमें उपयोग के अधिकार का अर्जन करने के अपने अंगण की घोषणा करती है;

उक्त अनुसूची में वर्णित भूमि में निम्नलिखित कोई व्यक्ति, उस तारीख से जिसकी, राजपत्र में यथा प्रकाशित इस अधिसूचना की प्रतियां पाठ्य

जनता को उपलब्ध करा दी जाती है। 21 दिन के भीतर भूमि के नीचे पाइपलाइन बिछाने के सम्बन्ध में उनमें उपयोग के अधिकार का अर्जन करने सम्बन्धी आपांत लिखित रूप में आदेश श्री किरपाल सिंह, राज्य अधिकारी, इंडियन ऑयल कॉर्पोरेशन लिमिटेड, कांडला-बटिंडा पाइपलाइन परियोजना, 1010 सेक्टर, 42-बी, चण्डीगढ़ को कर सकता है।

अनुसूची

सूच्योक्त : मानमा		विभाग : भूमि		राज्य : पंजाब	
गांव का नाम	उपखण्ड नं.	पुराना नं. / कितना नं.	क्षेत्रफल	रेस्ट : आर. बी.एल.	
1	2	3	4	5	6
जोगा	6				
	16		0	00	70
	25		0	00	01
	25				
	5		0	01	01
	6/2		0	01	01
	15/1		0	00	51

[संख्या आर-31015/13/93-आ आर-1]

कुलदीप सिंह, अवर सचिव

New Delhi, the 14th February, 1994

S.O. 571.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Petroleum from Kandla in the State of Gujarat to Bhatinda in the State of Punjab, via Rajasthan and Haryana, pipeline(s) should be laid by Indian Oil Corporation Limited;

And, whereas, it appears that for the purpose of laying such pipeline it is necessary to acquire the right of user in the land described in the Schedule annexed to this notification;

Now, therefore in exercise of the powers conferred by sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Any person interested in the land described in the said Schedule may within 21 days from the date on which the copies of this notification, as published in the Gazette of India, are made available to the general public, object in writing to the acquisition of the right of user therein of laying of the pipeline under the land to Shri Kirpal Singh, Competent Authority, Kandla-Bhatinda pipeline Project, 1010, Sector 42-B, Chandigarh:—

SCHEDULE

Tehsil : Mansa		District : Mansa		State : Punjab		
Name of Village	Hadbast No.	Mustateel/ Killa No.	Area			
			Hectare	Are	Centiare	
1	2	3	4	5	6	
Joga		6				
		16	0	0	76	
		25	0	01	01	
		25				
		5	0	01	01	
		6/2	0	01	01	
		15/1	0	00	51	

[No. R-31015/13/93-O.R.-I.]
KULDIP SINGH, Under Secy.

नई दिल्ली, 18 फरवरी, 1994

का. आ. 572.—केन्द्रीय सरकार ने, पैट्रोनियम और खनिज पाइप-लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की (जिसे हममें हमके पश्चात् उक्त अधिनियम कहा गया है) की धारा 3 की उपधारा (1) के अधीन जारी की गई भारत सरकार के पैट्रोनियम और प्राकृतिक गैस मंत्रालय की अधिसूचना सं. का. आ. 1901 तारीख 11 मिनम्बर, 1993 द्वारा पैट्रोनियम के परिवहन के लिए पाइपलाइन विधान के प्रयोजनार्थ उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार के अर्जन के अपने आदेश की घोषणा की थी ;

और उक्त राजपत्र अधिसूचना की प्रतियां जनता को तारीख 23 मिनम्बर, 1993 को उपलब्ध करा दी गई थी;

और उक्त अधिनियम की धारा 6 की उपधारा (1) के अनुसरण में सक्षम प्राधिकारी ने केन्द्रीय सरकार को रिपोर्ट दे दी है ;

और केन्द्रीय सरकार का उक्त रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार का अर्जन किया जाना चाहिए;

अतः, अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि, इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार का अर्जन किया जाता है ;

और केन्द्रीय सरकार उक्त धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए आगे यह निदेश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने की वजाह मधी विन्नगर्मा से मुक्त, इंजिन ऑयल कारपोरेशन लिमिटेड में निहित होगा।

अनुसूची

तहसील : समाना	जिला : पटियाला		राज्य : पंजाब		
गांव का नाम	हदबस्त नं.	मुख्य नं. / किला नं.	क्षेत्रफल		
			हैक्टर	आर	वर्ग-मीटर
1	2	3	4	5	6
मिओना	187	12			
		10	0	12	39

1	2	3	4	5	6
		14	0	01	01
		53			
		12/1/1	0	03	04
बादशाहपुर	188	76			
		5	0	03	04
ऊगोके	186	44			
		16	0	03	79
कुलबानू	185	14			
		17/1	0	00	51
ब्रह्मन माजरा	129	14			
		23/1/1	0	06	83
		23/2/1	0	06	83

तहसील : सुताम	जिला : संगरूर	राज्य : पंजाब
सेहल	131	23
		23/1
		37
		11/2/1
		13/1/1/1
		18
		18
		23/2
मुन्गीवाला	135	10
		19
खतालवाली	122	83
		9
		130
		9
गुजराज	110	18
		5/1
		5/2
		41
		8/1/1
		9/1/2
		65
		8/1
गोविन्दपुर नगरी	57	63
		4/2/1

तहसील : संगरूर	जिला : संगरूर	राज्य : पंजाब
घघरपुर	55	338
उपली	7	1497
		1498/2
		1499/2
		1500
		2085
		2086
		2087
		0
		05
		13
		04
		03
		00
		13
		00
		00
		76

1	2	3	4	5	6
		2088	0	12	65
		2095/1	0	01	26
		2095/2	0	12	65
		2097	0	13	91
		2099/1	0	10	88
		2100	0	07	59
		2101	0	06	32
		2102	0	02	02
ऊबेवाल	6	100			
		21/2	0	12	39
		129			
		5	0	12	40
जोगीवाल	4	249			
		16	0	00	25
		257			
		11	0	02	78
		265			
		18	0	06	83
		267			
		13	0	07	84
		17/2/1	0	06	07
माहीके	82	10			
		19/2	0	07	59
तहसील : बरनाला		जिला : संगरूर		राज्य : पंजाब	
असपाल कला	70	124			
		6	0	10	12
		7	0	11	89
		8/1	0	03	29
		8/2	0	03	53
		9	0	00	51
		11	0	12	39
		12/1	0	01	26
		12/2	0	10	63
		13/2	0	05	57
		925	0	00	25
कोटदना	80	57			
		21	0	12	39
		22	0	12	40
		23	0	12	39
		24	0	12	39
		25/2	0	12	39
तहसील : मनसा		जिला : मनसा		राज्य : पंजाब	
अकालिया	6	69			
		25/1	0	08	35
		70			
		22	0	10	88
		72			
		10	0	11	63
		1459	0	01	01
तहसील : फूल		जिला : सदिया		राज्य : पंजाब	
चाऊके	450	231			
		1	0	10	62
		232			
		2	0	12	40

2	3	4	5	6
तहसील : सदिया	जिला : सदिया		राज्य : पंजाब	
सुगवाली	58	19		
		21/1	0	09
		37		
		10	0	12
सुगवाली	208	177		
		13	0	11
		199		
		21/2/1	0	12
		22	0	12
		23	0	12
		24	0	12
		25	0	11
		196		
		25	0	00
		197		
		19/1	0	06
		19/2	0	01
		20/1	0	00
		20/2	0	06
		20/3	0	03
		22/1	0	02
		426	0	01
		486	0	01

[संख्या : ग्राम-31015/13/93-ओ. ग्राम-I-पीटी-1]

कुलदीप सिंह, ग्रामर सचिव

New Delhi, the 18th February, 1994

S.O. 572.—Whereas by the notification of the Government of India in the Ministry of Petroleum and Natural Gas No. S.O. 1901, dated the 11th September, 1993, issued under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) hereinafter referred to as the said Act, the Central Government declared its intention to acquire the right of user in the lands specified in the Schedule appended to that notification for the purpose of laying pipeline for the transport of petroleum;

And whereas the copies of the said Gazette notification were made available to the public on the 1st February, 1993;

And whereas the Competent Authority in pursuance of sub-section (1) of section 6 of the said Act has made his report to the Central Government;

And whereas the Central Government after considering the said report is satisfied that the right of user in the lands specified in the Schedule appended to this notification should be acquired;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the lands specified in the Schedule appended to this notification are hereby acquired;

And further in exercise of the powers conferred by sub-section (4) of the said section, the Central Government hereby directs that the right of user in the said lands shall instead of vesting in the Central Government, vest, free from all encumbrances, in the Indian Oil Corporation Limited;—

SCHEDULE

Tehsil : Samana	District : Patiala	State : Punjab
Name of Village	Hadbast No.	Mustatecl/ Killa No-
		Hectare
1	2	3
Seona	187	12
		10
		14
		0
		0
		12
		01
		39
		01

[भाग II - खण्ड 3 (ii)]

Tehsil : Samana District : Patiala State : Punjab						Tehsil : Sangrur District : Sangrur State : Punjab												
1	2	3	4	5	6	1	2	3	4	5	6							
Badshahpur	188	53	0	03	04	Sahoke	82	265	0	06	83							
		12/1/1						18										
		76						267										
		5						13										
Ugoke	186	44	0	03	79	17/2/1	10	0	07	84								
16	17/2/1	0									06	07						
Kulbanu	185	14									0	00	51	19/2	0	07	59	
Brahman	129	14																0
Majra	23/1/1	0	06	83														
23/2/1	0	06	83															
Tehsil : Sunam District : Sangrur State : Punjab						Tehsil : Barnala District : Sangrur State : Punjab												
Sehal	131	23	0	04	30	Aspal Kalan	79	124	0	10	12							
		23/1						6				0	11	89				
		37						7				0	03	29				
		11/2/1						8/2				0	03	53				
Munshiwala	135	13/1/1/1	0	01	77	Kotduna	80	9	0	00	51							
		18						11				0	12	39				
		48						12/1				0	01	26				
		23/2						12/2				0	10	63				
Khanalkalan	122	10	0	12	39	13/2	0	05	57									
		19								925	0	00	25					
		83								57	0	12	39					
		9								21	0	12	40					
Gujran	110	130	0	11	89	22	0	12	39									
		9								23	0	12	39					
		18								24	0	12	39					
		5/1								25/2	0	12	39					
Gobindpur Nagri	57	5/2	0	03	04	Tehsil : Mansa District : Mansa State : Punjab	6	69	0	08	35							
		41						25/1				70	10	88				
		8/1/1						22				72	11	63				
		9/1/2						10				1459	01	01				
Tehsil : Phnl District : Bhatinda State : Punjab						Tehsil : Bhatinda District : Bhatinda State : Punjab												
Chauke	450	231	0	10	62	Gulabgarh Alias Naiwala	58	19	0	09	86							
		1						21/1				37	12	65				
		232						10				0	11	13				
		2						0				12	40					
Tungwali	208	177	0	11	13	199	21/2/1	0	12	39								
		13									22	0	12	39				
		23									23	0	12	39				
		24									24	0	12	39				
Ubewal	6	25	0	11	64	25	0	11	64									
		196								197	0	00	51					
		25								19/1	0	06	81					
		19/2								0	01	01						
Longowal	4	20/1	0	00	51	20/2	0	06	58									
		20/3								0	03	79						
		22/1								0	02	28						
		426								0	01	52						
Longowal	4	486	0	01	26	486	0	01	26									

[No. R-31015/13/93-O.R.I., (Pt.I)]
KULDIP SINGH, Under Secy.

नई दिल्ली, 18 फरवरी, 1994

का. भा. 573.—केन्द्रीय सरकार ने, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 3 की उपधारा (1) के अधीन जारी की गई भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना सं. का. भा. 184, तारीख 30 जनवरी, 1993 द्वारा पेट्रोलियम के परिवहन के लिए पाइपलाइन बिछाने के प्रयोजनार्थ उक्त अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार के अर्जन के अपने आशय की घोषणा की थी ;

और उक्त राजपत्र अधिसूचना की प्रतियां जनता को तारीख 26 फरवरी, 1993 को उपलब्ध करा दी गई थीं;

और उक्त अधिनियम की धारा 6 की उपधारा (1) के अनुसरण में सक्षम प्रायश्चारी ने केन्द्रीय सरकार को रिपोर्ट दे दी है;

और केन्द्रीय सरकार का उक्त रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार का अर्जन किया जाना चाहिए;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि, इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार का अर्जन किया जाता है;

केन्द्रीय सरकार, उक्त धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, आगे यह निदेश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय, सभी वित्तवर्गों से मुक्त, इंडियन ऑयल कारपोरेशन लिमिटेड में निहित होगा।

अनुसूची

तहसील : पानीपत	जिला : पानीपत	राज्य : हरियाणा
गांव का नाम	हदबस्त नं. / मुस्ततील नं. / किला नं. /	क्षेत्रफल हैक्टर आर वर्गमीटर
1	2	3
कालखा	41	129
	2	0 09 11

तहसील : करनाल	जिला : करनाल	राज्य : हरियाणा
डाचर	62	260
	23/1	0 05 82

तहसील : अमन्थ	जिला : करनाल	राज्य : हरियाणा
खवाता हसनपुर	72	7
	16	0 12 39
शेखपुर मंजूरी	66	213
	25/2	0 04 30
कारमा चौर	63	25
	5	0 10 12
रुग्माना	41	82
	21	0 00 10

तहसील : कैथल	जिला : कैथल	राज्य : हरियाणा
धीग	43	25
	25/1	0 01 27
पत्नी कायथ मेट	24	52
	131	0 02 53
	14	0 01 26
	131	0 01 26
	16	0 01 26
पत्नी अफगात	23	34
	5	0 00 76
	6	0 15 43

तहसील : कैथल	जिला : कैथल	राज्य : हरियाणा
1	2	3
		59
		6/1
खुराना	26	114
		8/1/2
		0 05 05
जटहेड़ी	28	21
		17/2
		0 05 56

[सं. आर. 31015/14/93—ओ. आर-1]
कुलदीप सिंह, अवर सचिव

New Delhi, the 18th February, 1994

S.O. 573.—Whereas by the notification of the Government of India in the Ministry of Petroleum and Natural Gas No. S.O. 184, dated the 30th January, 1993, issued under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) (hereinafter referred to as the said Act), the Central government declared its intention to acquire the right of user in the lands specified in the Schedule appended to that notification for the purpose of laying pipeline for the transport of petroleum;

And whereas the copies of the said Gazette notification were made available to the public on the 26th February, 1993;

And whereas the Competent Authority in pursuance of sub-section (1) of section 6 of the said Act has made his report to the Central Government;

And whereas the Central Government after considering the said report is satisfied that the right of user in the lands specified in the Schedule appended to this notification should be acquired;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the lands specified in the Schedule appended to this notification are hereby acquired;

And further in exercise of the powers conferred by sub-section (4) of the said section, the Central Government hereby directs that the right of user in the said lands shall instead of vesting in the Central Government, vest, free from all encumbrances, in the Indian Oil Corporation Limited.

SCHEDULE

Tehsil : Panipat	District : Panipat	State : Haryana
Name of Village	Hadbast Mustateel/ No. Killa No.	Area
		Hectare Are Centiare
1	2	3
Kalkha	41	129
	2	0 09 11
Tehsil : Karnal	District : Karnal	State : Haryana
Dechar	62	260
	23/1	0 05 82
Tehsil : Asandh	District : Karnal	State : Haryana
Pabana Hasanpur	72	7
	16	0 12 39

Tehsil : Asandh	District : Karnal		State : Haryana		
1	2	3	4	5	6
Shekhpur	66	213			
Manchuri		25/2	0	04	30
Karsachor	63	25			
		5	0	10	12
Rugsana	41	82			
		21	0	00	10
Tehsil : Kaithal	District : Kaithal		State : Haryana		
Deeg	43	25			
		25/1	0	01	27
Patti Kayath Seth	24	52			
		14	0	02	53
		131			
		16	0	01	26
Patti Afgan	23	34			
		5	0	00	76
		6	0	15	43
		59			
		6/1	0	00	25
Khurana	26	114			
		8/1/2	0	05	05
Jatheri	28	21			
		17/2	0	05	56

[No. R-31015/14/93-O.R.-I]
KULDIP SINGH, Under Secy.

नई दिल्ली, 18 फरवरी, 1994

का. आ. 574.—केन्द्रीय सरकार ने, पेट्रोलियम और खनिज पाश्पनाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 3 की उपधारा (1) के अधीन जारी की गई भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना सं. का. आ. 140 तारीख 23 जनवरी, 1993 द्वारा पेट्रोलियम के परिवहन के लिए पाश्पनाइन बिछाने के प्रयोजनार्थ उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार के अर्जन के अर्पण का प्रावधान की घोषणा की थी;

और उक्त राजपत्र अधिसूचना की प्रतियाँ जनता को तारीख 1 फरवरी, 1993 को उपलब्ध करा दी गई थीं;

और उक्त अधिनियम की धारा 6 की उपधारा (1) के अनुसरण में सभ्य प्राधिकारी ने केन्द्रीय सरकार को रिपोर्ट दे दी है;

और केन्द्रीय सरकार का उक्त रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार का अर्जन किया जाना चाहिए;

अतः, अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार का अर्जन किया जाता है;

और केन्द्रीय सरकार, उक्त धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए आगे यह निर्देश देती है कि उक्त भूमि में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय सभी विस्तरणों से मुक्त, इंडियन प्रायट कारपोरेशन लिमिटेड में निहित होगा।

अनुसूची

तहसील : गुहला	जिला : कैथल	राज्य : हरियाणा			
गांव का नाम	हदबस्त सं.	मुस्तकील नं. / किला नं.	क्षेत्रफल	हैक्टर	अरर
1	2	3	4	5	6
अनेदपुर	93	11			
		3	0	00	25
		7	0	01	01
		8	0	14	92
		13/1	0	00	76
		13/2	0	00	02
		14	0	14	67
		15	0	03	04
		16	0	10	37

[संख्या आर—31015/21/92-ओ. आर-1]

कुलवीर सिंह, अवर सचिव

New Delhi, the 18th February, 1994

S.O. 574.—Whereas by the notification of the Government of India in the Ministry of Petroleum and Natural Gas No. S.O 140 dated the 23rd January, 1993, issued under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) (hereinafter referred to as the said Act), the Central government declared its intention to acquire the right of user in the lands specified in the Schedule appended to that notification for the purpose of laying pipeline for the transport of petroleum;

And whereas the copies of the said Gazette notification were made available to the public on the 1st February, 1993;

And whereas the Competent Authority in pursuance of sub-section (1) of section 6 of the said Act has made his report to the Central Government;

And whereas the Central Government after considering the said report is satisfied that the right of user in the lands specified in the Schedule appended to this notification should be acquired;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the lands specified in the Schedule appended to this notification are hereby acquired;

And further in exercise of the powers conferred by sub-section (4) of the said section, the Central Government hereby directs that the right of user in the said lands shall instead of

vesting in the Central Government, vest, free from all encumbrances, in the Indian Oil Corporation Limited.

SCHEDULE

Tehsil : Guhla		District : Kaithal		State : Haryana		
Name of Village	Hadbast Mustateel/ No.	Killa No.	Area			
			Hectare	Ac	Centiare	
1	2	3	4	5	6	
Janedpur	93	11				
		3	0	00	25	
		7	0	01	01	
		8	0	14	92	
		13/1	0	00	76	
		13/2	0	00	02	
		14	0	14	67	
		15	0	03	04	
		16	0	10	37	

[No. R-31015/21/92-O.R.-I]

KULDIP SINGH, Under Secy.

नई दिल्ली, 18 फरवरी, 1994

का. आ. 575—केन्द्रीय सरकार ने पैट्रोलियम और खनिज पार्श्व लाईन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) धारा 3 की उपधारा (1) के अधीन जारी की गई भारत सरकार के पैट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या का. आ. 2153, तारीख 16 अक्टूबर, 1993 द्वारा पैट्रोलियम के परिवहन के लिए पार्श्व लाईन बिछाने के प्रयोजनार्थ, उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार के अर्जन के अपने आशय की घोषणा की थी।

और उक्त राजपत्र अधिसूचना की प्रतियां जनता को तारीख 28 अक्टूबर, 1993 को उपलब्ध करा दी गई थी ;

और उक्त अधिनियम की धारा 6 की उपधारा (1) के अनुसरण में सक्षम प्राधिकारी ने केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है ;

और केन्द्रीय सरकार का उक्त रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार का अर्जन किया जाना चाहिए ;

अतः अब केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार का अर्जन किया जाता है ;

और केन्द्रीय सरकार उक्त धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए आगे यह निर्देश देती है कि उक्त भूमि में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाए सभी विलगावों से मुक्त इंडियन ऑयल कारपोरेशन लिमिटेड में निहित होगा।

अनुसूची

तहसील : आबूरोड	जिला : सिरोही	राज्य : राजस्थान		
क्षेत्रफल				
गांव का नाम	खसरा नं.	हैक्टर	आर	वर्गमीटर
1	2	3	4	5
खारा	38	00	02	75
बानिडा	817	00	01	25
मावल	515	00	03	70
	634	00	05	05
श्रीवा	8	00	04	05
	9	00	03	60
	10	00	06	40
	11	00	10	10
	12	00	04	80
	13	00	00	15
	97	00	02	70
आबूरोड	129	00	10	50
	163	00	10	50
	164	00	00	15
खाहत	271	00	11	40

[संख्या आर-31015/30/93 और आर-1]

कुलदीप सिंह, अवर सचिव

New Delhi, the 18th February, 1994

S.O. 575.—Whereas by the notification of the Government of India in the Ministry of Petroleum and Natural Gas No. S.O. 2153, dated the 16th October, 1993, issued under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) (hereinafter referred to as the said Act), the Central Government declared its intention to acquire the right of user in the lands specified in the Schedule appended to that notification for the purposes of laying pipeline for the transport of petroleum;

And whereas copies of the Gazette notification has been made available to the public on the 28th October, 1993;

And whereas the Competent Authority in pursuance of sub-section (1) of section 6 of the said Act has made his report to the Central Government;

And whereas the Central Government after considering the said report is satisfied that the right of user in the lands specified in the Schedule appended to this notification should be acquired;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the land specified in the Schedule appended to this notification are hereby acquired;

And further in exercise of the powers conferred by sub-section (4) of the said section, the Central Government hereby directs that the right of user in the said lands shall instead of vesting in the Central Government, vest, free from all encumbrances, in the Indian Oil Corporation Limited;

SCHEDULE

अनुसूची

Tehsil : Abu Road District : Sirohi State : Rajasthan

Area

Name of Village	Khasra No.	Hectare	Are	Centiare
1	2	3	4	5
Khara	38	00	02	75
Wasra	817	00	01	25
Maval	515	00	03	70
	634	00	05	05
Amba	8	00	04	05
	9	00	03	60
	10	00	06	40
	11	00	10	10
	12	00	04	80
	13	00	00	15
	97	00	02	70
Abu Road	129	00	10	50
	163	00	10	50
	164	00	00	15
Khadat	271	00	11	40

[No. R-31015/30/93-O.R.-J]

KULDIP SINGH, Under Secy.

नई दिल्ली, 18 फरवरी, 1994

का. प्रा. 576—केन्द्रीय सरकार ने पेट्रोलियम और खनिज पार्श्व लाईन (भूमि में उपयोग के अधिकार का अर्जन अधिनियम 1962 (1962 का 50) की जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) द्वारा 3 की उपधारा (1) के अधीन जारी की गई भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय को अधिसूचना संख्या का. प्रा. 2151 तारीख 16 अक्तूबर 1993 द्वारा पेट्रोलियम के परिवहन के लिए पार्श्वलाइन विधानों के प्रायोजनार्थ उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार के अर्जन के अपने आशय की घोषणा की थी।

और उक्त राजपत्र अधिसूचना की प्रतियाँ जनता को तारीख 28 अक्तूबर 1993 को उपलब्ध करा दी गई थी ;

और उक्त अधिनियम की धारा 6 की उपधारा (1) के अनुसरण में मध्य प्राधिकारी ने केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है ;

और केन्द्रीय सरकार का उक्त रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार का अर्जन किया जाता जाहिए ;

अतः अब, केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार का अर्जन किया जाता है ;

और केन्द्रीय सरकार उक्त धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए आगे यह निदेश देती है कि उक्त भूमि में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाए, सभी विवरणों से मुक्त इंडियन ऑयल कॉर्पोरेशन लिमिटेड में निहित होगा।

तहसील : विण्डवाडा	जिला : सिरोंहा	राज्य : राजस्थान
गाँव का नाम	खसरा नं०	क्षेत्रफल
		हेक्टर आर वर्ग मी.
1	2	3 4 5
भारजा	701	00 23 66
	861	00 05 99
	864	00 05 95
बनाम	82	00 02 85
घांड़ीयावा	46	00 02 75
विण्डवावा	2667	00 00 22
	2668	00 02 63
	2820	00 02 88

[संख्या आर-31015/30/93-ओ. आर -1]

कुलदीप सिंह, अवर सचिव

New Delhi, the 18th February, 1994

S.O. 576.—Whereas by the notification of the Government of India in the Ministry of Petroleum and Natural Gas No. S.O. 2154, dated the 16th October, 1993, issued under sub-section (1) of section 3 of the Petroleum and Minerals pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) (hereinafter referred to as the said Act), the Central Government declare its intention to acquire the right of user in the lands specified in the Schedule appended to that notification for the purposes of laying pipeline for the transport of petroleum;

And whereas copies of the Gazette notification has been made available to the public on the 28th October, 1993;

And whereas the Competent Authority in pursuance of sub-section (1) of section 6 of the said Act has made his report to the Central Government;

And whereas the Central Government after considering the said report is satisfied that the right of user in the lands specified in the Schedule appended to this notification should be acquired;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the land specified in the Schedule appended to this notification are hereby acquired.

And further in exercise of the powers conferred by sub-section (4) of the said section, the Central Government hereby directs that the right of user in the said lands shall instead of vesting in the Central Government, vest, free from all encumbrances, in the Indian Oil Corporation Limited;

SCHEDULE

Tehsil : Pindwara District : Sirohi State : Rajasthan

Name of Village	Khasra No.	Area		
		Hectare	Are	Centiare
Bharja	701	00	11	66
	861	00	05	99
	864	00	05	95
Banas	82	00	02	85
Ghodiya	46	00	02	75
Pindwara	2667	00	00	22
	2668	00	02	63
	2820	00	02	88

[No. R-31015/30/93-O.R.-I]
KULDIP SINGH, Under Secy.

नई दिल्ली, 18 फरवरी, 1994

का. प्रा. 577—केन्द्रीय सरकार ने पेट्रोलियम और खनिज पार्श्व सार्वजनिक (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) धारा 3 की उप धारा (1) के अधीन जारी की गई भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या का. प्रा. 2155 तारीख 16 अक्टूबर 1993 द्वारा पेट्रोलियम के परिवहन के लिए पार्श्व सार्वजनिक जिलाने के प्रयोजनार्थ उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार के अर्जन के अपने आशय की घोषणा की थी ;

और उक्त राजपत्र अधिसूचना की प्रतियाँ जनता को तारीख 28 अक्टूबर 1993 को उपलब्ध करा दी गई थी ;

और उक्त अधिनियम की धारा 6 की उप धारा (1) के अनुसरण में सक्षम प्राधिकारी ने केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है ;

और केन्द्रीय सरकार का उक्त रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार का अर्जन किया जाना चाहिए ; अतः अब, केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उप धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार का अर्जन किया जाता है ;

और केन्द्रीय सरकार उक्त धारा की उप धारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए आगे यह निवेदन देती है कि उक्त भूमि में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाए सभी वित्तियों से मुक्त इंडियन ऑयल कॉर्पोरेशन लिमिटेड में निहित होगा ।

अनुसूची

तहसील : बाली जिला : पाली राज्य : राजस्थान				
क्षेत्रफल				
गांव का नाम	खसरा नं.	हेक्टर	आर.	वर्ग मी.
1	2	3	4	5
कोठान	785	00	03	25
	786	00	04	40

1	3	3	4	5
कुम दिया	57	00	02	78
बेडा	935	00	03	86
	3669	00	02	85
	4768			
भादून्द	242	00	02	78
	707	00	02	78
मोसनी	777	00	02	78
	810	00	05	85
	881	00	02	30
	856	00	02	78
	947	00	02	78
	965	00	00	22
	966	00	02	55
कोट बालिया	1059	00	00	18
	1060	00	02	62
	1070	00	02	78
मोटवाडा	760	00	02	78
	991	00	02	78

[संख्या आर-31015/30/93-ओ आर-I]

कुलदीप सिंह, अधर सचिव

New Delhi, the 18th February, 1994

S.O. 577.—Whereas by the notification of the Government of India in the Ministry of Petroleum and Natural Gas No. S.O. 2155, dated the 16th October, 1993, issued under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) (hereinafter referred to as the said Act), the Central Government declared its intention to acquire the right of user in the lands specified in the Schedule appended to that notification for the purposes of laying pipeline for the transport of petroleum ;

And whereas copies of the Gazette notification has been made available to the public on the 28th October, 1993 ;

And whereas the Competent Authority in pursuance of sub-section (1) of section 6 of the said Act has made his report to the Central Government ;

And whereas the Central Government after considering the said report is satisfied that the right of user in the lands specified in the Schedule appended to this notification should be acquired ;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the land specified in the Schedule appended to this notification are hereby acquired ;

And further in exercise of the powers conferred by sub-section (4) of the said section, the Central Government hereby directs that the right of user in the said lands shall instead of vesting in the Central Government, vest, free from all encumbrances, in the Indian Oil Corporation Limited.

SCHEDULE

Tehsil : Bali	District : Pali	State : Rajasthan		
		Area		
Name of Village	Khasra No.	Hectare	Are	Centiare
1	2	3	4	5
Kothar	785	0	03	25
	786	00	04	40
Kumtiya Bera	57	00	02	78
	935	00	03	86
	3669/4768	00	02	85
Bhatocnd	242	00	02	78
	707	00	02	78
Sesli	777	00	02	78
	810	00	05	85
	811	00	02	30
	856	00	02	78
	947	00	02	78
	965	00	00	22
	966	00	02	55
Kot Baliyan	1059	00	00	18
	1060	00	02	62
	1079	00	02	78
Bheetwara	760	00	02	78
	991	00	02	78

[No. R-31015/30/93-O.R.-I]
KULDIP SINGH, Under Secy.

नई दिल्ली, 18 फरवरी, 1994

का. भा. 578.—केन्द्रीय सरकार ने, पेट्रोलियम और खनिज पाईप लाईन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50 को जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) धारा 3 की उपधारा (1) के अधीन जारी की गई भारत सरकार के पेट्रोलियम और प्राकृतिक गैस गैलाय की अधिसूचना संख्या का. भा. 2156 तारीख 16 अक्टूबर 1993 द्वारा पेट्रोलियम के परिवहन के लिए पाईपलाइन बिछाने के प्रयोजनार्थ उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार के अर्जन करने प्राण्य को घोषणा की थी;

और उक्त राजपत्र अधिसूचना की प्रतियां जनता को मारीख 28 अक्टूबर, 1993 को उपलब्ध करा दी गई थी;

और उक्त अधिनियम की धारा 6 की उपधारा (1) के अनुसरण में में सक्षम प्राधिकारी ने केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है;

और केन्द्रीय सरकार का उक्त रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार का अर्जन किया जाना चाहिए;

अतः अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए यह घोषणा करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार का अर्जन किया जाता है।

अनुसूची

तहसील : देसूरी	जिला : पाली	राज्य : राजस्थान		
क्षेत्रफल				
गांव का नाम	खसरा नं.	हे.	आर.	बर्ग.
1	2	3	4	5
बडोडा	36	00	02	78
कुलीप	362	00	02	78
नाडोल	4685	00	02	75
	4688	00	02	75
गुडा केसरसिंह	14	00	00	10
जीवनद खर्द	129	0	02	63
	130	00	00	23
बोरडी	333	00	02	74
	613	00	02	75
पिलोबवी	873	00	02	75
निवास	20	00	02	75
	81	20	03	75
	81	00	00	15
	246	00	02	75
	70	00	02	70

[संख्या आर-31015/30/93-ओ. आर.-I]

कुलदीप सिंह, अधीक्षक सचिव

New Delhi, the 18th February, 1994

S.O. 578. —Whereas by the notification of the Government of India in the Ministry of Petroleum and Natural Gas No. S.O. 2156, dated the 16th October, 1993, issued under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) (hereinafter referred to as the said Act), the Central Government declared its intention to acquire the right of user in the lands specified in the Schedule appended to that notification for the purposes of laying pipeline for the transport of petroleum;

And, whereas, copies of the Gazette notification has been made available to the public on the 28th October 1993;

And, whereas, the Competent Authority in pursuance of sub-section (1) of section 6 of the said Act has made his report of the Central Government;

And whereas the Central Government after considering the said report is satisfied that the right of user in the lands specified in the Schedule appended to this notification should be acquired;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the land specified in the Schedule appended to this notification are hereby acquired;

And further, in exercise of the powers conferred by sub-section (4) of the said section, the Central Government hereby directs that the right of user in the said lands shall instead of vesting in the Central Government, vest, free from all encumbrances, in the India Oil Corporation Limited;

SCHEDULE

Tehsil : Desuri District : Pali State : Rajasthan

अनुसूची

Name of Village	Khasra No.	Area		
		Hectare	Are	Centiare
1.	2.	3.	4.	5.
Barod	26	0	02	78
Dhalop	362	00	02	78
Nadol	4685	00	02	75
	4688	00	02	75
Gura Kesar Singh	14	00	00	10
Jiwand Khurd	129	00	02	63
	130	00	00	23
Borai	333	00	02	75
	613	00	02	75
Peelowani	873	00	02	75
Siwas	20	00	03	75
	70	00	02	70
	81	00	00	15
	246	00	02	75

(No. R-31015/30/93-OR-I)
KULDIPSINGH, Under Secy.

नई दिल्ली, 18 फरवरी 1994

का. आ. 579.—केन्द्रीय सरकार ने पेट्रोलियम और खनिज पाईपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की (निम्न शर्तों के पश्चात्) उक्त अधिनियम कहा गया है) धारा 3 की उपधारा (1) के अधीन जारी की गई भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या का.आ. 2157 तारीख 16 अक्टूबर, 1993 द्वारा पेट्रोलियम के परिवहन के लिए पाईपलाइन खिड़ाने के प्रयोजनार्थ, उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार का अर्जन के रूप में आगम की घोषणा की थी ;

और उक्त अधिसूचना की प्रतियां जनता को तारीख 28 अक्टूबर, 1993 को उपलब्ध करा दी गई थी ;

और उक्त अधिनियम की धारा 6 की उपधारा (i) के अनुसार अधिसूचना ने केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है ;

और केन्द्रीय सरकार का उक्त रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार का अर्जन किया जाना चाहिए ;

अतः अतः, केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार का अर्जन किया जाता है ;

और केन्द्रीय सरकार उक्त धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, आगे यह निदेश देती है कि उक्त भूमि में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय सभी विनियमों से मुक्त, डिवल्ट आयन कार्पोरेशन लिमिटेड में निहित होगा।

ग्राहक का नाम	खसरा नं.	क्षेत्रफल		
		है.	आर वर्ग	मी.
1	2	3	4	5
देवली	1012	00	00	22
	1014	0	02	53
	1036	00	03	20
	1043	00	03	75
गुडा. केशर सिंह	109	00	02	75
	129	00	03	75
आउआ	1268	00	13	42
आपपोष	247	00	00	15
गडावाग	2	00	02	75
कन्टालिया	1	00	02	85
	372	00	31	30
	377	00	02	75

[संख्या आ. 31015/30/93 ओ आर. I]
कुलदीप सिंह, अवर सचिव

New Delhi, the 18th February, 1994

S.O. 579.—Whereas by the notification of the Government of India in the Ministry of Petroleum and Natural Gas No. S.O. 2157, dated the 16th October, 1993, issued under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) (hereinafter referred to as the said Act), the Central Government declared its intention to acquire the right of user in the lands specified in the Schedule appended to that notification for the purposes of laying pipeline for the transport of petroleum;

And, whereas, copies of the Gazette notification has been made available to the public on the 28th October, 1993;

And, whereas, the Competent Authority in pursuance of sub-section (1) of section 6 of the said Act has made his report to the Central Government;

And, whereas, the Central Government after considering the said report is satisfied that the right of user in the lands specified in the Schedule appended to this notification should be acquired;

Now therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in land specified in the Schedule appended to this notification are hereby acquired;

And, further, in exercise of the powers conferred by sub-section (4) of the said section, the Central Government hereby directs that the right of user in the said lands shall instead of vesting in the Central Government, vest, free from all encumbrances, in the Indian Oil Corporation Limited;

SCHEDULE

Tehsil : Kharchi District : Pali State : Rajasthan

New Delhi, the 18th February, 1994

Area

Name of Village	Khasra No.	Hectare	Are	Centiare
Deoli	1012	00	00	22
	1014	00	02	53
	1036	00	03	20
	1043	00	03	75
Gura Kesarsing	109	00	02	75
	129	00	03	75
Auwa	1268	00	13	42
Angdosh	247	00	00	15
Radaawas	2	00	02	75
Kantaliya	19	00	02	85
	372	00	21	30
	377	00	02	75

[No. R-31015/30/93-O.R.-I]

KULDIP SINGH, Under Secy.

नई दिल्ली, 18 फरवरी, 1994

का. आ. 580.-केन्द्रीय सरकार ने, पेट्रोलियम और खनिज पाइप लाईन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) धारा 3 की उपधारा (1) के अधीन जारी की गई भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या का. आ. 2158 तारीख 16 अक्टूबर, 1993 द्वारा पेट्रोलियम के परिवहन के लिए पाईपलाइन बिछाने के प्रयोजनार्थ उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार के अर्जन के अपने आशय की घोषणा की थी।

और उक्त राजपत्र अधिसूचना की प्रतियाँ जनता को तारीख 28 अक्टूबर, 1993 को उपलब्ध करा दी गई थी।

और उक्त अधिनियम की धारा 6 की उपधारा (1) के अनुसरण में सक्षम प्राधिकारी ने केन्द्रीय सरकार की अर्जनों रिपोर्ट दे दी है;

और केन्द्रीय सरकार का उक्त रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार का अर्जन किया जाना चाहिए;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करता है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार का अर्जन किया जाता है;

और केन्द्रीय सरकार उक्त धारा की उपधारा (4) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए, साथ ही यह निर्देश देती है कि उक्त भूमि में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय सर्वोच्च न्यायालय से मुक्त, इंडियन आयल कार्पोरेशन लिमिटेड में निहित होगा।

अनुसूची

तहसील : सोजत जिला : पाला राज्य : राजस्थान

क्षेत्रफल

गाँव का नाम	खसरा नं. है.	आर.	वर्गमी.
बगड़ी	5061/1	00	02 75
सिंहपुरा	27	00	03 20
रायरा कला खुर्द	1	00	02 80
	326	00	55 40

[संख्या आर. 31015/30/93 आ. आर.-I]

कुलदीप सिंह, अवर सचिव

S. O. 580.—Whereas by the notification of the Government of India in the Ministry of Petroleum and Natural Gas No. S.O. 2158, dated the 16th October, 1993, issued under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) (hereinafter referred to as the said Act), the Central Government declared its intention to acquire the right of user in the lands specified in the Schedule appended to that notification for the purposes of laying pipeline for the transport of petroleum;

And, whereas, copies of the Gazette notification has been made available to the public on the 28th October, 1993;

And, whereas, the Competent Authority in pursuance of sub-section (1) of section 6 of the said Act has made his report to the Central Government;

And, whereas, the Central Government after considering the said report is satisfied that the right of user in the lands specified in the Schedule appended to this notification should be acquired;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the land specified in the Schedule appended to this notification are hereby acquired;

And, further, in exercise of the powers conferred by sub-section (4) of the said section, the Central Government hereby directs that the right of user in the said lands shall instead of vesting in the Central Government, vest, free from all encumbrances, in the Indian Oil Corporation Limited;

SCHEDULE

Tehsil : Sojat	District : Pali	State : Rajasthan			
		Area			
Name of Village	Khasra No.	Hectare	Are	Centiare	
1.	2.	3.	4.	5.	
Bagri	5061/1	0	02	75	
Singhpura	27	00	03	20	
Rayra Kala Khurd	1	00	02	80	
	326	00	00	40	

[No. R-31015/30/93-O.R.-I]

KULDIP SINGH, Under Secy.

नई दिल्ली, 18 फरवरी, 1994

का. आ. 581.-केन्द्रीय सरकार ने, पेट्रोलियम और खनिज पाइप लाईन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) धारा 3 की उपधारा (1) के अधीन जारी की गई भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या का. आ. 2159 तारीख 16 अक्टूबर, 1993 द्वारा पेट्रोलियम के परिवहन के लिए पाईपलाइन बिछाने के प्रयोजनार्थ, उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार के अर्जन के अपने आशय की घोषणा की थी;

और उक्त राजस्व अधिसूचना की प्रतियाँ जनता को जारी कर 28 अक्टूबर, 1993 को उपलब्ध करा दी गई थी।

और उक्त अधिनियम की धारा 6 की उपधारा (1) के अनुसूचन में संलग्न प्राधिकारी ने केन्द्रीय सरकार को अर्जेंट रिपोर्ट दे रखा है,

और केन्द्रीय सरकार का उक्त रिपोर्ट पर विचार करते के पश्चात् यह समाधान हो गया है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार का अर्जन किया जाना चाहिए;

अतः उक्त केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रयत्न शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार का अर्जन किया जाना है;

और केन्द्रीय सरकार, उक्त धारा की उपधारा (4) द्वारा प्रयत्न शक्तियों का प्रयोग करते हुए, अग्रे यह निर्देश देती है कि उक्त भूमि में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय सभी विलक्षणों से मुक्त इंडियन ऑयल कॉर्पोरेशन लिमिटेड में निहित होगा।

अनुसूची				
तहसील : रायपुर	जिला : पाली	राज्य : राजस्थान		
क्षेत्रफल				
गाँव का नाम	खसरा नं.	हे.	आर.	वर्ग मी.
1	2	3	4	5
सबलपुरा	385	00	02	90
	389	00	02	00
	408	00	01	80
	143	00	02	90
	241	00	00	20
लवाचा	242	00	08	25
	243	00	00	15
	345	00	01	50
	352	00	00	15
	353	00	00	15
बिराटिया खूर्द	1202	00	01	90
	1218	00	04	40
	1219	00	02	75
जैतपुरा	317	00	00	15
	318	00	01	30
	319	00	01	25
	322	00	00	10
	324	00	02	00
	329	00	00	10

[सं आर 31015/30/93 अं आर-1]

कुलदीपसिंह, अवर सचिव

New Delhi, the 18th February, 1994

S. O. 581.—Whereas by the notification of the Government of India in the Ministry of Petroleum and Natural Gas No. S.O. 2159, dated the 16th October, 1993, issued under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) (hereinafter referred to as the said Act), the

Central Government declared its intention to acquire the right of user in the lands specified in the Schedule appended to that notification for the purposes of laying pipeline for the transport of petroleum;

And whereas copies of the Gazette notification has been made available to the public on the 28th October, 1993;

And whereas the Competent Authority in pursuance of sub-section (1) of section 6 of the said Act has made his report to the Central Government;

And whereas the Central Government after considering the said report is satisfied that the right of user in the lands specified in the Schedule appended to this notification should be acquired;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the land specified in the Schedule appended to this notification are hereby acquired;

And further in exercise of the powers conferred by sub-section (4) of the said section, the Central Government hereby directs that the right of user in the said lands shall instead of vesting in the Central Government, vest, free from all encumbrances, in the Indian Oil Corporation Limited;

SCHEDULE

Tehsil : Raipur	District : Pali	State : Rajasthan		
Name of Village	Khasra No.	Area		
		Hectare	Are	Centiare
1	2	3	4	5
Sabalpura	385	00	02	90
	389	00	02	00
	408	00	01	80
Lawacha	143	00	02	90
Deepawas	241	00	00	20
	242	00	03	25
	243	00	00	15
	345	00	02	50
	352	00	00	15
	353	00	00	15
Biratiya Khurd	1202	00	01	90
	1218	00	04	40
	1219	00	02	75
Jaitpura	317	00	00	15
	318	00	02	30
	319	00	01	25
	322	00	00	10
	324	00	02	00
	329	00	00	10

[No. R-31015/30/93-O.R.-1]

KULDIP SINGH, Under Secy.

नई दिल्ली, 18 फरवरी, 1994

का. आ. 582—केन्द्रीय सरकार ने पेट्रोलियम और खनिज पाईप लाईन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की त्तसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) धारा 3 की उपधारा (1) के अधीन जारी की गई भारत

सरकार के द्वारा जारी की गई सूची में निर्धारित क्षेत्रों का अधिभूतन संयंत्र का. आ. 2160 तारीख 16 अक्टूबर, 1993 द्वारा पेट्रोलियम के परिवहन के लिए पाइपलाइन बिछाने के प्रयोजनार्थ उस अधिभूतन से संबंधित अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार के अर्जन के अपने प्राण्य की घोषणा की थी;

और उक्त राजपत्र अधिभूतन की प्रतियां जनता को तारीख 28 अक्टूबर, 1993 को उपलब्ध करा दी गई थी;

और उक्त अधिनियम की धारा 6 का उपधारा (1) के अनुमण में सक्षम अधिकारी ने केन्द्रिय सरकार को अपनी रिपोर्ट दे दी है।

और केन्द्रीय सरकार का उक्त रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि जिस अधिभूतन से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार का अर्जन किया जाना चाहिए।

अतः अब केन्द्रिय सरकार उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि इस अधिभूतन से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार का अर्जन किया जाता है;

और केन्द्रीय सरकार, उक्त धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, आगे यह निवेदन देती है कि उक्त भूमि में उपयोग का अधिकार केन्द्रिय सरकार में निहित होने के बजाए सभी विस्तरणों से मुक्त, इंडियन आयल कारपोरेशन लिमिटेड में निहित होगा।

अनुसूची

सहस्रील : अजमेर	जिला : अजमेर	राज्य : राजस्थान	क्षेत्रफल		
गांव का नाम	खमरा न.	हेक्टर आर	बर्गमी		
1	2	3	4	5	
सीडी	3698	00	02	80	
	3709	00	01	90	
	3710	00	00	80	

[संख्या : आर 31015/30/93-आ. आर. -1]

कुलदीप सिंह, अधीक्षक

New Delhi, the 18th February, 1994

S.O. 532—Whereas by the notification of the Government of India in the Ministry of Petroleum and Natural Gas No. S.O. 2160, dated the 16th October, 1993, issued under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) (hereinafter referred to as the said Act), the Central Government declared its intention to acquire the right of user in the lands specified in the Schedule appended to that notification for the purposes of laying pipeline for the transport of petroleum;

And whereas copies of the Gazette notification has been made available to the public on the 28th October, 1993;

And whereas the Competent Authority in pursuance of sub-section (1) of section 6 of the said Act has made his report to the Central Government;

And whereas the Central Government after considering the said report is satisfied that the right of user in the lands specified in the Schedule appended to this notification should be acquired;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the land specified in the Schedule appended to this notification are hereby acquired

And further in exercise of the powers conferred by sub-section (4) of the said section, the Central Government hereby directs that the right of user in the said lands shall instead of vesting in the Central Government, vest, free from all encumbrances, in the Indian Oil Corporation Limited;

SCHEDULE

Tehsil : Ajmer	District : Ajmer	State : Rajasthan	Area		
Name of Village	Khasra No.	Hectare	Are	Centiare	
1	2	3	4	5	
Lceri	3698	0	02	80	
	3709	0	01	90	
	3710	0	00	80	

[No. R-31015/30/93—O.R.-1]

KULDIP SINGH, Under Secy.

नई दिल्ली, 18 फरवरी 1994

का. आ. 583--केन्द्रीय सरकार ने पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की विसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है। धारा 3 की उपधारा (1) के अधीन जारी की गई भारत सरकार के पेट्रोलियम और प्राकृतिक गैस पत्रालय की अधिभूतन सूची का. आ. 2161 तारीख 16 अक्टूबर, 1993 द्वारा पेट्रोलियम के परिवहन के लिए पाइपलाइन बिछाने के प्रयोजनार्थ उस अधिभूतन से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार के अर्जन के अपने प्राण्य की घोषणा की थी ;

और उक्त राजपत्र अधिभूतन की प्रतियां जनता को तारीख 28 अक्टूबर 1993 को उपलब्ध करा दी गई थी;

और उक्त अधिनियम की धारा 8 की उपधारा (1) के अनुमण में सक्षम अधिकारी ने केन्द्रिय सरकार को अपनी रिपोर्ट दे दी है;

और केन्द्रीय सरकार का उक्त रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि इस अधिभूतन से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार का अर्जन किया जाना चाहिए ;

अतः अब केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि इस अधिभूतन से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार का अर्जन किया जाता है;

और केन्द्रीय सरकार उक्त धारा का उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए आगे यह निवेदन देती है कि उक्त भूमि में उपयोग का अधिकार केन्द्रिय सरकार में निहित होने के बजाए सभी विस्तरणों से मुक्त, इंडियन आयल कारपोरेशन लिमिटेड में निहित होगा।

अनुसूची				
तहसील : किशनगढ़	जिला : अजमेर	राज्य : राजस्थान		
क्षेत्रफल				
गांव का नाम	खंड़ा नं.	हे.	अ.र.	बर्गोटर
1	2	3	4	5
गोठियाणा	72	00	01	45
	73	00	12	35
	778	00	09	50
	780	00	06	00
	781	00	02	08
	782	00	01	26
	783	00	05	12
	785	00	12	00
	788	00	02	40
	789	00	19	89
	791	00	18	00
	792	00	14	40
	801/1	00	03	70
धसूक	798	00	12	10
	813/1139	00	08	45
	814	00	08	45
मान्दियावद कलां	33	00	05	05
मोठी	116	00	00	05

[संख्या आर.-31035/30/93 ओ. आर.-1]

कुलदीप सिंह, अवर सचिव

New Delhi, the 18th February, 1994

S.O. 583.—Whereas by the notification of the Government of India in the Ministry of Petroleum and Natural Gas No. S.O. 2161 dated the 16th October, 1993 issued under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) (hereinafter referred to as the said Act), the Central Government declared its intention to acquire the right of user in the lands specified in the Schedule appended to that notification for the purposes of laying pipeline for the transport of petroleum;

And whereas copies of the Gazette notification has been made available to the public on the 28th October, 1993;

And whereas the Competent Authority in pursuance of sub-section (1) of section 6 of the said Act has made his report to the Central Government;

And whereas the Central Government after considering the said report is satisfied that the right of user in the lands specified in the Schedule appended to this notification should be acquired;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the land specified in the Schedule appended to this notification are hereby acquired;

And further in exercise of the powers conferred by sub-section (4) of the said section, the Central Government hereby

directs that the right of user in the said lands shall instead of vesting in the Central Government, vest, free from all encumbrances, in the Indian Oil Corporation Limited;

SCHEDULE

Tehsil : Kishangarh District : Ajmer State : Rajasthan

Area				
Name of Village	Khasra No.	Hectare	Are	Centiare
1	2	3	4	5
Gothiyan	72	00	01	45
	73	00	12	35
	778	00	09	50
	780	00	06	00
	781	00	02	08
	782	00	01	26
	783	00	05	12
	785	00	12	00
	788	00	02	40
	789	00	19	89
	791	00	18	00
	792	00	14	40
Dhasook	801/1	00	03	70
	798	00	12	10
	813/1139	00	08	45
Mandiyawad Kalan	814	00	08	45
	33	00	05	05
	116	00	00	05

[No. R-31015/30/93-O.R.I.]

KULDIP SINGH, Under Secy.

नई दिल्ली, 18 फरवरी, 1994

का.आ. 584—केन्द्रीय सरकार ने, पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की जिसे इसमें इसके पश्चात् अक्त अधिनियम कहा गया है) धारा 3 की उप-धारा (1) के अधीन जारी की गई भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्यांक का. आ. 2162 तारीख 16 अक्टूबर, 1993 द्वारा पेट्रोलियम के परिवहन के लिए पाइप लाइन बिछाने के प्रयोजनार्थ उस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार के अर्जन के अपने आशय की घोषणा की थी;

और उक्त राजपत्र अधिसूचना की प्रतियां जनता को तारीख 28 अक्टूबर, 1993 को उपलब्ध करा दी गई थी;

और उक्त अधिनियम की धारा 6 की अधधारा (1) के अनुसरण में सक्षम प्राधिकारी ने केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है;

और केन्द्रीय सरकार का उक्त रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उद्योग के अधिकार का अर्जन किया जाना चाहिए;

अतः, अब केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार का अर्जन किया जाता है;

और केन्द्रीय सरकार, उक्त धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, आगे यह निर्देश देती है कि उक्त भूमि में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाए, सभी विस्तारों से मुक्त इंडियन प्रायव कारपोरेशन लिमिटेड में निहित होगा।

अनुसूची

गांव का नाम	खसरा नं.	हेक्टर	घर	बंशोदर
(1)	(2)	(3)	(4)	(5)
सनीद	3570	00	01	00
रामसर	1842	00	06	00
	1847	00	15	65
	5068	00	01	15
	5069	00	03	65
	7016	00	02	05
माशिया	295	00	11	05
	605	00	00	15

[सं. आर-31015/30/93 प्रो. आ-1]

कुलवीर सिंह, अवर सचिव

New Delhi, the 18th February, 1994

S.O. 584—Whereas by the notification of the Government of India in the Ministry of Petroleum and Natural Gas No. S.O.2162, dated the 16th October, 1993, issued under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) (hereinafter referred to as the said Act), the Central Government declared its intention to acquire the right of user in the lands specified in the Schedule appended to that notification for the purposes of laying pipeline for the transport of petroleum;

And whereas copies of the Gazette notification has been made available to the public on the 28th October, 1993;

And whereas the Competent Authority in pursuance of sub-section (1) of section 6 of the said Act has made his report to the Central Government;

And whereas the Central Government after considering the said report is satisfied that the right of user in the lands specified in the schedule appended to this notification should be acquired;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the land specified in the Schedule appended to this notification are hereby acquired;

And further in exercise of the powers conferred by sub-section (4) of the said section, the Central Government hereby directs that the right of user in the said lands shall instead of vesting in the Central Government, vest, free from all encumbrances, in the Indian Oil Corporation Limited;

SCHEDULE

Tehsil : Nasirabad District : Ajmer State : Rajasthan

Name of Village	Khasra No.	Area		
		Hec-tare	Are	Centiare
1.	2.	3.	4.	5.
Sanod	3570	00	01	00
Ramsar	1842	00	06	05
	1847	00	15	65
	5068	00	01	15
	5069	00	03	65
	7016	00	02	05
Maoshya	295	00	11	05
	605	00	00	15

[No.R-31015/30/93-O.R.-I]
KULDIP SINGH, Under Secy.

नई दिल्ली 18 फरवरी, 1994

का. आ. 585.—केन्द्रीय सरकार ने पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की शिष्टे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है धारा 3 की उपधारा (1) के अधीन जारी की गई भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या का. आ. 2163 तारीख 16 अक्टूबर, 1993 द्वारा पेट्रोलियम के परिवहन के लिए पाइप लाइन बिछाने के प्रयोजनार्थ उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार के अर्जन के अपने आशय की घोषणा की थी;

और उक्त राजपत्र अधिसूचना की प्रतियां जनता को तारीख 28 अक्टूबर, 1993 को उपलब्ध करा दी गई थी;

और उक्त अधिनियम की धारा 6 की उपधारा (1) के अनुसरण में सक्षम प्राधिकारी के केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है;

और केन्द्रीय सरकार का उक्त रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि इस अधिसूचना से संलग्न अनुसूची में उपयोग के अधिकार का अर्जन किया जाना चाहिए,

अतः, अब केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार का अर्जन किया जाता है;

और केन्द्रीय सरकार उक्त धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए आगे यह निर्देश देती है कि उक्त भूमि में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाए, सभी विस्तारों से मुक्त इंडियन प्रायव कारपोरेशन लिमिटेड में निहित होगा।

अनुसूची

तहसील : ब्याथर	जिला : प्रतापगढ़	राज्य : राजस्थान		
क्षेत्रफल				
गांव का नाम	खसरा नं.	हेक्टर	आर	वर्गमीटर
(1)	(2)	(3)	(4)	(5)
ठीकराना मेहरातान	693	00	01	45
	698	00	00	30
	746	00	02	15
	747	00	00	60
सदरिया	13	00	00	10
	14	00	00	30
बलाड़	2	00	02	35
गढीथोरिया	1150	00	02	85
	1178	00	00	25
	1183	00	02	65
लाखीना	868	00	05	40
	869	00	03	20
	873	00	06	70
	1088/1093	00	04	90
कानाखेड़ा श्यामगढ़	2179	00	02	75
खरवा	6762	00	01	10
	6763	00	01	80
	6765	00	06	80

[संख्या आर-31015/30/93-ओ आर-1]

कुलदीप सिंह, अवर सचिव

New Delhi, the 18th February, 1994

S.O. 585—Whereas by the notification of the Government of India in the Ministry of Petroleum and Natural Gas No. S.O. 2163, dated the 16th October, 1993, issued under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) (hereinafter referred to as the said Act), the Central Government declared its intention to acquire the right of user in the lands specified in the Schedule appended to that notification for the purposes of laying pipeline for the transport of petroleum;

And whereas copies of the Gazette notification has been made available to the public on the 28th October, 1993,

And whereas the Competent Authority in pursuance of sub-section (1) of section 6 of the said Act has made his report to the Central Government;

And whereas the Central Government after considering the said report is satisfied that the right of user in the lands specified in the Schedule appended to this notification should be acquired;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the land specified in the Schedule appended to this notification are hereby acquired;

And further in exercise of the powers conferred by sub-section (4) of the said section, the Central Government hereby directs that the right of user in the said lands shall instead of vesting in the Central Government vest, free from all encumbrances, in the Indian Oil Corporation Limited;

SCHEDULE

Tehsil : Beawar District : Ajmer State : Rajasthan

Name of Village	Khasra No.	Area		
		Hec-tare	Acre	Cent-tiare
1.	2.	3.	4.	5.
Theckrana Medratan	693	00	01	45
	698	00	00	30
	746	00	02	15
	747	00	00	60
Scdariya	13	00	00	10
	14	00	00	30
Balad	2	00	02	35
Garhi Thoriya	1150	00	02	85
	1178	00	00	25
	1183	00	02	65
Lakheena	868	00	05	40
	869	00	03	20
	873	00	06	70
	1088/1093	00	04	90
Kuna Khera	2179	00	02	75
Shyamgarh	6762	00	01	10
Kharwa	6763	00	01	80
	6765	00	06	80

[No. R-31015/30/93—O.R.-I]
KULDIP SINGH, Under Secy.

नई दिल्ली 18 फरवरी, 1994

का. आ 586.—केंद्रीय सरकार ने, पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) द्वारा 3 की उपधारा (1) के अधीन जारी की गई भारत सरकार के पेट्रोलियम और प्राकृतिक गैस सलाख की अधिसूचना संख्या का. आ. 2164 तारीख 16 अक्टूबर, 1993 द्वारा पेट्रोलियम के परिवहन के लिए पाइप लाइन विछाने के प्रयोजनार्थ उस अधिसूचना से सम्बन्ध अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार के अर्जन के अपने आशय की घोषणा की थी ;

और उक्त राजपत्र अधिसूचना की प्रतियां जनता की तारीख 28 अक्टूबर, 1993 को उपलब्ध करा दी गई थी ;

और उक्त अधिनियम की धारा 6 की उपधारा (1) के अनुसरण में संक्षम अधिकारी ने केंद्रीय सरकार को अपनी रिपोर्ट दे दी है ;

और केंद्रीय सरकार का उक्त रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त अधिसूचना से सम्बन्ध अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार का अर्जन किया जाना चाहिए ;

अतः, अब केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार का अर्जन किया जाता है ;

और केन्द्रीय सरकार उक्त धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए आगे यह निर्देश देती है कि उक्त भूमि में इलाहाबाद नगर केन्द्रित सरकार में निहित होने के बजाए सभी विलक्षणों से मुक्त इंडियन आयल कारपोरेशन लिमिटेड में निहित होगा ।

अनुसूची

तहसील फागी	जिला जयपुर	राज्य : राजस्थान
क्षेत्रफल		
गांव का नाम	खसरा न.	हैक्टर आर वर्गमीटर
(1)	(2)	(3) (4) (5)
मेहन्दवास	1795	00 13 30
निमेड़	2945	00 09 25
	2945/2	00 00 05
द्वारकापुरा उर्फ कोरिया	449	00 07 60
	451/2	00 02 20
	456	00 07 00

[संख्या आर-31015/30/93 ओ आर-I]

कुलदीप सिंह, अवसर सचिव

New Delhi, the 18th February, 1994

S.O. 586— Whereas by the notification of the Government of India in the Ministry of Petroleum and Natural Gas No. S.O. 2164, dated the 16th October, 1993, issued under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) (hereinafter referred to as the said Act), the Central Government declared its intention to acquire the right of user in the lands specified in the Schedule appended to that notification for the purposes of laying pipeline for the transport of petroleum;

And whereas copies of the Gazette notification has been made available to the public on the 28th October, 1993;

And whereas the Competent Authority in pursuance of sub-section (1) of section 6 of the said Act has made his report to the Central Government;

And whereas the Central Government after considering the said report is satisfied that the right of user in the lands specified in the Schedule appended to this notification should be acquired;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the land specified in the Schedule appended to this notification are hereby acquired;

And further in exercise of the powers conferred by sub-section (4) of the said section, the Central Government hereby

directs that the right of user in the said lands shall instead of vesting in the Central Government, vest, free from all encumbrances, in the Indian Oil Corporation Limited;

SCHEDULE

Tehsil : Phagi District : Jaipur State : Rajasthan

Name of Village	Khasra No.	Area		
		Hec-tare	Are	Centiare
1.	2.	3.	4.	5.
Mehandwas	1795	00	13	30
Neemera	2945	00	09	25
	2945/2	00	03	05
Dwarka Pura	449	00	07	60
Urf Korla	451/2	00	02	20
	456	00	07	00

[No. R—31015/30/93—O.R.-I]
KULDIP SINGH, Under Secy.

नई दिल्ली, 18 फरवरी, 1994

का. आ. 587. केन्द्रीय सरकार ने, पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन अधिनियम 1962 (1962 का 50) की जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) धारा 3 की उपधारा (1) के अधीन जानी की गई भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय को अधिसूचना संख्या का. आ. 2165 तारीख 16 अक्टूबर, 1993 द्वारा पेट्रोलियम के परिवहन के लिए पाइप लाइन बिछाने के प्रयोजनार्थ उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार के अर्जन के अपने आशय की घोषणा की थी।

और उक्त राजपत्र अधिसूचना की प्रतियां जनता को तारीख 28 अक्टूबर, 1993 को उपलब्ध करा दी थी ;

और उक्त अधिनियम, की धारा 6 की उपधारा (1) के अनुसरण से सक्षम प्राधिकारी ने केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है ;

और केन्द्रीय सरकार का उक्त रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार का अर्जन किया जाना चाहिए ;

इतः अब, केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार का अर्जन किया जाता है ;

और केन्द्रीय सरकार, उक्त धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए आगे यह निर्देश देती है कि उक्त भूमि में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाए सभी विलक्षणों से मुक्त इंडियन आयल कारपोरेशन लिमिटेड में निहित होगा ।

सूची				
तहसील मालपुरा	जिला टोंक	राज्य	राजस्थान	
क्षेत्रफल				
गांव का नाम	खसरा नं.	हेक्टर	आर वर्गमीटर	
(1)	(2)	(3)	(4)	(5)
पंचेवर	7441	00	03	40
किरावाल	1102/3	00	02	05
बस्ती अरनिया	169	00	02	75

[संख्या आर—31015/30/93 ओ. आर आई.]
कुलदीप सिंह, प्रवर सचिव

New Delhi, the 18th February, 1994

S.O. 587—Whereas by the notification of the Government of India in the Ministry of Petroleum and Natural Gas No. S.O. 2165, dated the 16th October, 1993, issued under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) (hereinafter referred to as the said Act), the Central Government declared its intention to acquire the right of user in the lands specified in the Schedule appended to that notification for the purposes of laying pipeline for the transport of petroleum;

And whereas copies of the Gazette notification has been made available to the public on the 28th October, 1993;

And whereas the Competent Authority in pursuance of sub-section (1) of section 6 of the said Act has made his report to the Central Government;

And whereas the Central Government after considering the said report is satisfied that the right of user in the lands specified in the Schedule appended to this notification should be acquired;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the land specified in the Schedule appended to this notification are hereby acquired;

And further in exercise of the powers conferred by sub-section (4) of the said section, the Central Government hereby directs that the right of user in the said lands shall instead of vesting in the Central Government, vest, free from all encumbrances, in the Indian Oil Corporation Limited;

SCHEDULE				
Tehsil : Malpura		District : Tonk		State : Rajasthan
Area				
Name of Village	Khasra No.	Hec- tare	Are	Centiare
1.	2.	3.	4.	5.
Pachewar	7441	00	03	40
Kirawal	1102/3	00	02	05
Bassi Aranya	169	00	02	75
[No. R—31015/30/93—O.R.-I] KULDIP SINGH, Under Secy.				

[No. R—31015/30/93—O.R.-I]
KULDIP SINGH, Under Secy.

परमाणु ऊर्जा विभाग

मुंबई, 03 दिसंबर, 1993

का.आ. 588. :—केन्द्रीय सरकार, सरकारी स्थान (अप्रतिष्ठित अधिभोगियों की बेवखली) अधिनियम, 1971 (1971 का 40) की धारा 3 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, नीचे की सारणी के स्तंभ (1) में उल्लिखित अधिकारी को, जो सरकार के राजपत्रित अधिकारी की पंक्ति के समतुल्य अधिकारी हैं, उक्त अधिनियम के प्रयोजनों के लिए संपदा अधिकारी नियुक्त करती है और उक्त अधिकारी उक्त सारणी के स्तंभ (2) में विनिर्दिष्ट स्थानों, स्वतंत्रों की बाबत उक्त अधिनियम द्वारा या उसके अधीन संपदा अधिकारी को प्रदत्त शक्तियों का प्रयोग और उस पर अधिरोपित कर्तव्यों का पालन करेगा।

सारणी

अधिकारी का पदनाम	सरकारी स्थान
(1)	(2)
प्रशासनिक अधिकारी (संगत)	यूरेनियम कार्पोरेशन आफ इंडिया लिमिटेड,
नरवापहाड़ परियोजना,	
यूरेनियम कार्पोरेशन आफ इंडिया लिमिटेड,	आकषर : नरवापहाड़,
	जिला—सिद्धमूमि पूर्व, बिहार के या
आकषर : नरवापहाड़, जिला : सिद्धमूमि (पूर्व), बिहार।	उनके लिए पट्टे पर लिए गए और नरवापहाड़ परियोजना में उनके प्रशासनिक नियंत्रण के अधीन स्थान।

[सं. 4/10/(21)/88-तोगम/1374]
आर.एस. मसोना, निदेशक

DEPARTMENT OF ATOMIC ENERGY

Bombay, the December 3, 1993.

S.O. 588—In exercise of the powers conferred by section 3 of Public Premises (Eviction of Unauthorised Occupants) Act, 1971 (40 of 1971), the Central Government hereby appoints the Officer mentioned in column (1) of the Table below, being an officer equivalent to the rank of the Gazetted Officer of the Government, to be the estate officer for the purposes of the said Act, and the said officer shall exercise the powers

conferred, and perform the duties imposed, on the estate officers by or under the said Act in respect of the public premises specified in column (2) of the said Table.

TABLE

Designation of the Officer	Public Premises
1	2
Administrative Officer (Estate) Narwapahar Project.	Premises belonging to or taken on lease for the Uranium Corporation of India Ltd., P.O. Narwapahar, Dist. Singhbhum (East), Bihar and which are under its administrative control at Narwapahar Project.

[No. 4/10(21)/88/PSU-1/1374.]
R.S. SAXENA, Director

राष्ट्रीय विकास मंत्रालय

(दिल्ली प्रभाग)

नई दिल्ली, 7 फरवरी, 1994

का.भा. 589 :—यतः निम्नांकित क्षेत्रों के बारे में कुछ संशोधन, जिन्हें केन्द्रीय सरकार अधोवर्णित क्षेत्रों के बारे में दिल्ली बृहद योजना/क्षेत्रीय विकास योजना में प्रस्तावित करती है तथा जिसे दिल्ली विकास अधिनियम, 1956 (1957 का 61) की धारा-44 के प्रावधानों के अनुसार दिनांक 04-09-93 के नोटिस संख्या एफ-16 (11)/91-एम.पी. द्वारा प्रकाशित किये गये थे जिसमें उक्त अधिनियम की धारा-11-क की उपधारा (3) में अपेक्षित आपत्तियों/मुद्दाव, उक्त नोटिस की तारीख के 30 दिन की अवधि में आमंत्रित किए गए थे।

और यतः प्रस्तावित संशोधनों के बारे में जनता से कोई आपत्तियाँ और मुद्दाव प्राप्त नहीं हुए हैं।

और यतः केन्द्रीय सरकार ने दिल्ली बृहद योजना/क्षेत्रीय विकास योजना में संशोधन करने का निर्णय किया है।

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा-11-क की उपधारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, भारत के राजपत्र में इस अधिपत्रिका के प्रकाशन की तारीख से दिल्ली का उक्त बृहद योजना में एतद्वारा निम्नांकित संशोधन करना है :-

संशोधन :

"प्लानिंग डिवीजन 'एफ' उपजोना एफ-4 (सफदरजंग क्षेत्र) में पड़ने वाले और उत्तर में रिज रोड़ (60 मी. चौड़े, पूर्व में फैक्ट्री रोड़ (22.86 मी०) एच सफदरजंग अस्पताल, दक्षिण में सफदरजंग अस्पताल के प्रस्तावित विस्तार और पश्चिम में दूधमा सेंटर एवं विद्यमान पेट्रोल पम्प से घिरे हुए लगभग 1.21 हेक्टेयर (2.98 एकड़) क्षेत्र का भूमि उपयोग का सांवेजनिक और अर्धसांवेजनिक गुणवत्ताओं से 'आवासीय' में परिवर्तित किया जाता है।"

[नं. के-13011/1/93-डी डी-आई बी]
एस. सी. सागर, अवर सचिव

MINISTRY OF URBAN DEVELOPMENT

(Delhi Division)

New Delhi, the 7th February, 1994

S.O. 589.—Whereas certain modifications which the Central Government proposed to make in the Master Plan for the Delhi/Zonal Development Plan regarding the areas mentioned hereunder, were published with Notice No. F-16 429 GI/94—7.

(11)/91-MP dated 4.9.93 in accordance with the provisions of Section 44 of the Delhi Development Act, 1956 (61 of 1957) inviting objections/suggestions, as required by sub-section (3) of Section 11-A of the said Act, within thirty days from the date of the said notice ;

And whereas no objection/suggestions were received from the public with regard to the said proposed modifications and whereas the Central Government have decided to modify the Master Plan for Delhi/Zonal Development Plan ;

Now, therefore, in exercise of the powers conferred by sub-section (2) of Section 11-A of the said Act, the Central Government hereby makes the following modification in the said Master Plan for Delhi with effect from the date of publication of this Notification in the Gazette of India.

MODIFICATION

"The land use of an area, measuring about 1.21 ha. (2.98 acres) falling in planning division 'F' sub-Zone F-4 (Safdarjung Area) bounded by Ring Road (60 mtrs. wide) in the North, Factory Road (22.86 mtrs) and Safdarjung Hospital in the East, proposed extension of Safdarjung Hospital in the South and Trauma Centre and existing petrol pump in the West, is changed from 'public and semi-public facilities' to 'residential'.

[No. K-13011/1/93-D.DIB]

S. C. SAGAR, Under Secy.

नई दिल्ली, 8 फरवरी, 1994

का.भा. 590 :—यतः निम्नांकित क्षेत्रों के बारे में कुछ संशोधन, जिन्हें केन्द्रीय सरकार अधोवर्णित क्षेत्रों के बारे में दिल्ली बृहद योजना/क्षेत्रीय विकास योजना में प्रस्तावित करती है तथा जिन्हें दिल्ली विकास अधिनियम, 1956 (1957 का 61वाँ) की धारा-44 के प्रावधानों के अनुसार दिनांक 26-08-93 के नोटिस संख्या एफ-16 (11) (91) एम.पी. द्वारा प्रकाशित किये गये थे जिसमें उक्त अधिनियम की धारा 11-क की उपधारा-3 में अपेक्षित आपत्तियों/मुद्दाव, उक्त नोटिस की तारीख के 30 दिन की अवधि में आमंत्रित किए गए थे।

और यतः प्रस्तावित संशोधनों के बारे में जनता से कोई आपत्तियाँ और मुद्दाव प्राप्त नहीं हुए हैं।

और यतः केन्द्रीय सरकार ने दिल्ली बृहद योजना/क्षेत्रीय विकास योजना में संशोधन करने का निर्णय किया है।

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा-11-क की उपधारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, भारत के राजपत्र में इस अधिपत्रिका के प्रकाशन की तारीख से दिल्ली का उक्त बृहद योजना में एतद्वारा निम्नांकित संशोधन करना है।

संशोधन :

"प्लानिंग डिवीजन 'एच' उप जोन एच-6 (शालीमार बाग क्षेत्र) में पड़ने वाले और उत्तर पूर्व में स्थानीय विपणन केन्द्र और जिला पार्कों, उत्तर पश्चिम में विद्यमान जिला पार्कों, दक्षिण पूर्व में जिला पार्कों और दक्षिण पश्चिम में 30 मीटर चौड़ी सड़क और आधुनिक अस्पताल से घिरे हुए लगभग 6.57 हेक्टेयर (16.25 एकड़) क्षेत्र के भूमि उपयोग को 'भवन/जनसमूह' से 'आवासीय' में परिवर्तित किया जाता है।"

[नं. के-13011/9/94-डी डी-आई बी]
एस. सी. सागर, अवर सचिव

New Delhi, the 8th February, 1994

S.O. 590.—Whereas certain modifications, which the Central Government proposed to make in the Master Plan for Delhi/Zonal Development Plan regarding the areas mentioned hereunder, were published with Notice No. F-16 (11)/91-MP dated 26-8-93 in accordance with the provisions of Section 44 of the Delhi Development Act, 1956 (61 of

1957) inviting objections/suggestions as required by sub-section (3) of Section 11-A of the said Act, within thirty days from the date of the said notice ;

And whereas no objection/suggestions were received from the public with regard to the said proposed modification and whereas the Central Government have decided to modify the Master Plan for Delhi/Zonal Development Plan ;

Now, therefore, in exercise of the powers conferred by sub-section (2) of Section 11-A of the said Act, the Central Government hereby makes the following modification in the said Master Plan for Delhi with effect from the date of publication of this Notification in the Gazette of India.

MODIFICATION

"The land use of an area, measuring about 6.57 ha. (16.25 acres) falling in planning division 'H' sub-Zone-H-6 (Shalimar Bagh Area) bounded by local shopping and district parks in the North-East, existing district parks in the North-West, district parks in the South-East and 30 mtrs. wide road and Ayurvedic Hospital in the South-West, is changed from 'recreational' to 'residential'.

[No. K-13011/9 '93-DDIB]
S. C. SAGAR, Under Secy.

नागर विमानन और पर्यटन मंत्रालय
(नागर विमानन विभाग)

नई दिल्ली, 20 जनवरी, 1994

का.घा. 591 :—अंतरराष्ट्रीय विमानपत्तन प्राधिकरण अधिनियम 1971 (1971 का 43) की धारा 3 की उप धारा (3) द्वारा प्रवृत्त शक्तियों का प्रयोग करने हुए, केन्द्रीय सरकार राष्ट्रीय लघु उद्योग निगम लिमिटेड के वरिष्ठ कार्यपालक निदेशक श्री पी.एन. शर्मा को 16-11-1993 (पूर्वाह्न) से और अगला आदेश होने तक भारत अंतरराष्ट्रीय विमानपत्तन प्राधिकरण की अनुसूची "ग" वेतनमान रु. 7500-8500 में पूर्णकालिक सदस्य (वित्त) के रूप में नियुक्त करती है।

2. राष्ट्रीय विमानपत्तन प्राधिकरण और भारत अंतरराष्ट्रीय विमानपत्तन प्राधिकरण के विलय होने की स्थिति में सदस्य (वित्त) के पद का दर्जा धरा दिया जायेगा और बोर्ड स्तर के नीचे प्रचलित होगा।

[संख्या एवी-24011/02/91-वी.ई.]

एच.एस. संघु, अवर सचिव

MINISTRY OF CIVIL AVIATION AND TOURISM (Department of Civil Aviation)

New Delhi, the 20th January, 1994

S.O. 591.—In exercise of the powers conferred by sub-section (3) of Section 3 of the International Airports Authority Act, 1971 (43 of 1971), the Central Government appoints Shri P. N. Sharma, Senior Executive Director, National Small Industries Corporation Limited as whole-time Member (Finance) in the International Airports Authority of India in Schedule 'C' scale of pay of Rs. 7500—8500 with effect from 16-11-1993 (forenoon) and until further orders.

2. In the event of merger of National Airports Authority and International Airports Authority of India, the post of Member (Finance) will be downgraded and operated at below Board level.

[No. AV-24011/2/91-VE]
H. S. SANDHU, Under Secy.

श्रम मंत्रालय

नई दिल्ली, 28 जनवरी, 1994

का.घा. 592 :—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, युको बैंक के

प्रबन्धन के समय नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निहित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, बंगलूर के पंचपद को प्रकाशित करती है, जो केन्द्रीय सरकार को 28-1-94 को प्राप्त हुआ था।

[संख्या एन-12012/208/91-आईआर (बी-II)]

सी. गंगधरन, डेस्क अधिकारी

MINISTRY OF LABOUR

New Delhi, the 28th January, 1994

S.O. 592.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Bangalore as shown in the Annexure in the industrial dispute between the employers in relation to the management of UCO Bank and their workmen, which was received by the Central Government on 28-1-1994.

[No. L-12012/208/91-IR (B-II)]
C. GANGADHARAN, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL-CUM-LABOUR COURT, BANGALORE
Dated this 17th day of January, 1994

PRESENT :

Sri M. B. Vishwanath, B.Sc., B.L., Presiding Officer.
Central Reference No. 81/91

I PARTY :

D. Shankar Prabhu
S/o D. Krishna Murthy,
Ex. L.B. Deposit Collector,
C/o V. Sripad,
H. No. 7-4-43, Gajagarpet,
Raichur-84101.

(By Sri Sripad, Adv.)

V/s.

II PARTY :

The Divisional Manager,
UCO Bank,
Divisional Office,
Kempegouda Circle,
Bangalore-09.

(By Sri Rama Mohana Reddy, Adv.)

AWARD

In this reference made by the Hon'ble Central Government by its Order No. L-12012/208/91-IR B II dated 14-11-91 under Section 10(2-A)(1)(d) of I. D. Act the point for adjudication as per schedule to reference is :—

"Whether the action of the management of UCO Bank in terminating the services of Shri Shankar Prabhu, Deposit Collector is justified? If not, to what relief is the workman entitled?"

2. In the claim statement it is contended :—

The I party is a workman of the II party bank. He is appointed as a Laghu Bachait Pigmy Deposit Collector by the II party on 14-12-78. As per the terms and conditions of the appointment order, the I party has deposited an amount of Rs. 1,000 as security. Unfortunately and suddenly the said Laghu Bachait Pigmy deposit scheme was temporarily stopped on 31-12-83 by the II party. Anyhow, the said scheme is not completely and permanently abolished. The said scheme is still now existing in all branches of the II party's bank except in Raichur branch. By abolishing Laghu Bachait Pigmy deposit scheme, the II party has illegally terminated the services of the I party.

The termination is illegal. The I party is entitled to reinstatement and back wages.

3. In the counter statement it is contended :-

The matter pertains to 1983. There is inordinate delay in making this reference. The claim has to be rejected. The I party is not a workman as defined under Section 2(s) of the I. D. Act. He was getting commission by collecting deposits under laghu pachait scheme. The services of the I party were thoroughly unsatisfactory. The I party had misappropriated about Rs. 21,000. The bank lost all confidence in the I party since he had made use of the remittances for his personal benefit. The Laghu Bachait Yojna was suspended due to the unsatisfactory nature of work by I party. The reputation of the bank was at stake. The management received several complaints from depositors regarding misappropriation of the funds by the I party. In any case I party is not entitled to any relief. The I party is not at all a workman. The I party was entitled to only commission for the collections he made and nothing more.

4. On 17-7-92 it is noted in the order sheet that the point for decision is covered by the schedule to reference. It is also made clear in the order sheet that no separate issues are required and all other subsidiary issue like whether the I party is a workman or not, will be considered at the time of final arguments.

5. On behalf of the I party he has got himself examined and closed his case. On behalf of the II party MW-1 Rajagopala Hebbar, Officer has been examined.

6. Since it has been seriously contended that I party is not a workman defined under Section 2(s) of the I. D. Act, I will first decide this point. Only if it is held that I party is a workman, this Tribunal gets jurisdiction to go time of final arguments.

7. There is nothing to show that the I party was marking his attendance in the attendance register like permanent or temporary employees of the Bank.

8. It is clear from the material on record that the I party was not recruited to the services of the II party as per Banking Recruitment Rules. It is obvious that the II party had no disciplinary control over the I party as per terms of the B.P.S. The permanent employees of the Bank usually contribute to provident fund. There is nothing to show that I party was contributing to provident fund.

9. Ex. M-2 is the agreement of agency executed between the I party and the II party. In Ex. M-2 the I party has been described as Agent and employee would be paid commission on the collections made by him under the Laghu Bachait Yojana. There is nothing to show that the I party was getting regular salary like other permanent or temporary employees. Ex. M-3 shows that the I party has thanked the II party for having appointed him as an agent. In the agreement of agency Ex. M-2 it has been made abundantly clear in Clause 12 that I party is not an employee of the Bank in any sense and the relationship between the I party and the II party is that of an agent and principal.

10. It is stated in Clause 12 of Ex. M-2 that the II party could terminate the agency at any time at the discretion of the bank without giving any notice and without assigning any reason. MW-1 has stated in his evidence that the bank never considered I party as an employee of the bank. In cross-examination he has stated that if the agent did not come continuously to the bank for 2-3 days, bank would send their people to his house to search him and they would take appropriate action against the agent. On the strength of this it is contended that the II party could take action against the I party. It should be remembered that the II party could take action against the I party only in the capacity of I party as an agent not as an employee of the Bank. MW-1 has stated in cross-examination that the I party's collections were controlled by the Bank and regarding the collections I party was under the supervision of the Bank. Regarding the collections made by the I party there was accountability of the II party also and so they had some supervision over the I party's

collections. This does not mean that the I party was an employee of the II party bank.

11. The I party himself has stated in his evidence that for the collections he made, the Bank was giving him 3% commission as wages. He does not say that he was getting any salary. He has stated in cross-examination that on the basis of the collections made by him the bank was paying him commission as shown in Ex. M-2 at clause 10. He has unequivocally admitted that the bank was principal and he was agent. In para 13 of the cross-examination I party has admitted that except remitting the amount to the bank, he had no other work in the bank. This, even according to I party, shows that he was not an employee of the bank and he was not doing work in the bank like other employees. In para 14 of the cross-examination he has stated that he was not working in the bank.

12. In 1992 I.S.J. (Banking) 615 (Smt. Avtar Saha v/s. Canara Bank) (Punjab and Haryana High Court), the agent was not required to attend office at fixed time every day. He did not have to mark his presence. He was not obliged to attend office upto a fixed hours. The agency could be terminated at any time without notice or assigning any reason. The agent was not entitled to any notice nor was the bank obliged to disclose some lawful justification. In fact, the disciplinary control which an employer exercises over an employee, was completely absent. The Punjab and Haryana High Court was pleased to hold that there was only a jural relationship of Principal and Agent between the bank and the person who was making collections. He was not a workman.

13. I am of opinion that the decision of the Punjab and Haryana High Court applies to the facts of the present case. By no stretch of legal language could it be said that the I party is a workman within the meaning of Section 2(s) of the I. D. Act. There was no relationship of employer and employee between the Bank and the I party.

14. The learned counsel for the I party set great store by the decision of the Madras High Court reported in 1990 (1) Madras 50 (The Management of Indian Bank v/s. The Presiding Officer and another). I have carefully and respectfully gone through this authority. This decision of the Madras High Court is clearly distinguishable on facts. From the facts of Madras High Court authority it is clear that the Tiny Deposit agent had to do some clerical work like filling up relevant forms, ledgers, pass books etc. The Bank could instruct the agent not to enrol new subscribers at any time. The agent could be "taken to task when any depositor closes account within a period of 2 years from the commencement thereon." There will be a reduction of the commission payable to the agent in that event. The agent had to inform the bank in advance if he was not in a position to make the collections himself. To repeat, the Madras High Court authority is clearly distinguishable on facts and it has no application to the facts of the present case. It is significant to note that the Learned Judge of the Punjab and Haryana High Court has observed that he had reservation about the view expressed by the Madras High Court.

15. The Madras High Court decision is by a division bench. The Punjab and Haryana High Court decision on which I have relied on is rendered by a single Judge. It is submitted by the Learned counsel for the I party that I should follow the Judgment of the division bench in preference. In this regard he has submitted a passage from Law Points Vol. 2, page 560. I have carefully and respectfully gone through this passage. What the law says is that when there are conflicting judgments of the High Court before Subordinate Court, it is the duty of the subordinate Court to follow the judgment of the Division Bench in preference to the judgment of the Single Judge. This position arises when a subordinate Court, subordinate to a particular High Court is faced with conflicting judgments of the same High Court. That is not the position with which I am facing. I have distinguished on facts the division bench decision of the Madras High Court. Assuming for a moment that the Madras High Court decision also applies, I respectfully follow the decision of the Punjab and Haryana High Court. In the absence of any decision by our Hon'ble High Court or the Supreme Court. It should be pointed out here that the Learned Judge of the Punjab and Haryana High Court has observed that he has got reservations about the law laid down by the Madras High Court.

16. The Learned counsel for the I party has relied on AIR 1978 S.C. 1410 (Mussamblai v/s. The Alah Factory Tezhilali Union and others). In this authority the Hon'ble Supreme Court was dealing with a situation where there were intermediate contractors with whom the workers had immediate or direct relationship or contract to. This authority is not applicable.

17. The Learned counsel for the I party has relied on AIR S.C. 37 (Silver Jubilee Tailoring House and others v/s. Chief Inspector of Shops and Establishments and another). This has been rendered under the Andhra Pradesh (Telengana Area) Shops and Establishments Act and it has no application to the present case. The Learned counsel for the I party has relied on 1993 (II) L.L.J. 997 (Promer Sales Pvt. Ltd. v/s. Manohar Sondhur and others). That was a case in which the sales representative was doing clerical work, repair of radio, collection of amounts, tally of accounts, taking stock of goods. The Bombay High Court was pleased to hold that such a person is workman within the meaning of Section 2(s) of the I. D. Act. In the instant case the I party was not doing any clerical work, was not doing any skilled or unskilled work of the bank. The Bombay High Court authority also is not applicable.

18. The Learned counsel for the I party relied on 1968 (1) L.L.J. 288 (State of Assam and others v/s. Kanak Chandra Dutta). The Hon'ble Supreme Court, in this case was pleased to deal with a Civil post under Article 311 of the Constitution. This authority is not applicable to the facts of the present case.

19. For the aforesaid reasons I hold that the I party is not a workman as defined under Section 2(s) of the I. D. Act.

20. All other documents and evidence not referred to by me above are not relevant. In any case they do not alter conclusions reached above.

ORDER

The reference is rejected. Award passed rejecting the reference. Submit to Government

(Dictated to Stenographer, typed by him, corrected, signed by me on this 17th day of January, 1994)

Dated : 17-1-1994

M. B. VISHWANATHI, Presiding Officer

नई दिल्ली, 1 फरवरी, 1994

फा.अ. 592. - औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसूच में, केन्द्रीय सरकार, मैमर्स इंडियन आयर्न एंड स्टील कम्पनी लि. का नामवाला कोलिरीय के प्रबन्धकों के सर्वज्ञ नियंत्रण और उनके कर्मचारियों के बीच, अनुसूच में निम्नलिखित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकाधिक, (सं. 1), धनबाद के पंचपर को प्रकाशित करती है, जो केन्द्रीय सरकार को 31-1-94 को प्राप्त हुआ था।

[न. एन. 20012/179/90 आई आर (कोल-1)]

श्री. गंगधरान, डेस्क अधिकारी

New Delhi, the 1st February, 1994

S.O. 592.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, (No. 1), Dhanbad as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Chasnalla Colliery of M/s. IISCO and their workmen, which was received by the Central Government on 31-1-94.

[No. I-20012/179/90-IR(Coal-I)]

C. GANGADHARAN, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1 AT DHANBAD

In the matter of a reference under Sec. 10-1(d) (2-A) of the Industrial Disputes Act, 1947.

Reference No. 108 of 1990

Parties :

Employers in relation to the management of Chasnalla Colliery of Indian Iron & Steel Company Limited

AND

Their Workmen

PRESENT :

Siri P. K. Sinha.

Presiding Officer

APPEARANCES :

For the Employers.—Shri R. S. Muthy, Advocate.

For the Workmen.—Shri Lallan Prasad, Concerned workman.

STATE : Bihar

INDUSTRY : Coal.

Dated, the 18th January, 1994

AWARD

"The present reference arises out of Order No. I-20012/179/89-I.R. (Coal-I) dated 2-5-1990 passed by the Central Government in respect of an industrial dispute between the parties mentioned above. The subject matter of the dispute has been specified in the schedule to the said order and the said schedule runs as follows :—

"Whether the demand of the Union for regularisation of Shri Lalan Prasad, as Electrical Helper in Cat. II as per National Coal Wage Agreement-III with protection of wages w.e.f. 1978 is justified? If so, to what relief the workman is entitled and from what date?"

2. Settling their dispute out of the Court, the parties have filed a joint memorandum of settlement. I have gone through it and find the settlement so arrived at to be fair and reasonable. Accordingly I pass an award in terms of memorandum of settlement which also form part of the award.

3. Let a copy of this award be sent to the Ministry as required under Sec. 15 of the Industrial Disputes Act, 1947.

P. K. SINHA, Presiding Officer

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1, DHANBAD

Ref. No. 108/90

PARTIES :

Employers in relation to the Management of Chasnalla Colliery of Indian Iron & Steel Co. Ltd.,

AND

Their Workmen

Joint compromise petition of the employers and workman : Shri Lallan Prasad, P. No. : 90918, Loader, Chasnalla

Colliery had raised an Industrial Dispute for regularisation to the post of Electrical Helper because he was re-deployed on the job after 1975 Chasnalla Mines Accident in the Mining Engg. Department. The dispute ended in a failure and was referred for adjudication under Reference No. : 108/90 which is pending before the Presiding Officer Central Government Industrial Tribunal No. 1, Dhanbad, the Schedule of which reads as follows :

"Whether the demand of the Union for regularisation of Shri Lallan Prasad as Electrical Helper in Cat. II as per National Coal Wage Agreement-III with

protection of wages w.e.f. 1978 is justified? If so to what relief the workman is entitled and from what date?"

The issue was mutually discussed and finally it was agreed to resolve the matter on the following terms and conditions:

(i) That, Shri Lallan Prasad, P. No. : 90918, Loader (Gr. VA), Chasnalla Colliery, shall be designated as Peon in Technical & Supervisory Grade 'H' and posted presently in Personnel Department, Chasnalla.

(ii) That, the fitment formula shall be adopted as per guidelines of Joint Bi-partite Committee for the Coal Industry (JBCCI).

(iii) That, this settlement is full and final and that the employers and the workman consider and hereby declare that the above terms and conditions of settlement are just fair and reasonable to both the parties.

The employers and the workman, therefore, jointly pray that the Hon'ble Tribunal may be pleased to accept this joint compromise petition and give an award in terms thereof and dispose off the reference accordingly.

For & on behalf of the workman :

(Lallan Prasad),
P. No. : 90918.

For & on behalf of the Employers :

(R. PAUL),
Manager-Personnel.

Witnesses :

1. A. K. Banerjee,
2. A. K. Singh.

नई दिल्ली, 1 फरवरी, 1994

आ.आ. 594.—आर्थिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसूचन में, केन्द्रीय सरकार, सैन्य भास् कॉलियरी कोल लि. को अंगारपथरा कॉलियरी के प्रबन्धन के संवद्ध नियंत्रकों और उनके कर्मचारियों के बीच, अन्तर्गत में निम्नलिखित आर्थिक विवाद में केन्द्रीय सरकार आर्थिक अधिकरण, (नं. 2), प्रत्यक्ष के पंचपद की प्रकाशित करती है, जो केन्द्रीय सरकार को 31-1-91 को प्राप्त हुआ था।

[नं. एल-20012/276/90-आई आर (कोल-I)]

सी. गंगाधरन, डेस्क अधिकारी

New Delhi, the 1st February, 1994

S.O. 594.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, (No. 2), Dhanbad as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Angarpathra Colliery of M/s. B.C.C.L. and their workmen, which was received by the Central Government on 31-1-94.

[No. L-20012/276/90-I.R.(Coal-I)]

C. GANGADHARAN, Desk Officer.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD

PRESENT :

Shri B Ram,
Presiding Officer

In the matter of an industrial dispute under Section 10(1)(d) of the I.D. Act., 1947.

Reference No. 76 of 1991

PARTIES :

Employers in relation to the management of Angarpathra Colliery of M/s. B.C.C.L. and their workmen.

APPEARANCES :

On behalf of the workmen.—Shri S. Bose, Secretary, R.C.M.S.

On behalf of the employers.—Shri B. Joshi, Advocate.

STATE : Bihar.

INDUSTRY : Coal.

Dated, Dhanbad, the 21st January, 1994

AWARD

The Govt. of India, Ministry of Labour in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act., 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012 (276)/90-I.R. (Coal-I), dated, the 19th March, 1991

SCHEDULE

"Whether the Management of Angarpathra Colliery in Area No. IV of M/s. Bharat Coking Coal Ltd., is justified in not regularising the workmen detailed in Annexure enclosed in the job/posts given against each with corresponding wage rates and other benefits as per N.C.W.A. III & IV? If not to what relief the workmen are entitled?"

2. The action of the management of Angarpathra colliery in Area No. IV of M/s. B.C.C.L. has been challenged in not regularising the workmen as per annexure of the schedule of reference and also not giving corresponding wages and other benefits as per NCWA-III & IV.

3. The total number of the concerned workmen are 17 as per annexure of the reference and they are stated to have been doing as Fitter, Head Mistry and Tyndals. The union filed the statement of claims stating that all the concerned workmen have been performing their respective duties in Angarpathra colliery since 1978 regularly on the permanent nature of job. They also claim to have become the member of Coal Mines Provident Fund and their contributions are being regularly deducted from their wages. They further claim to have been engaged in connection with the operation of Coal Mining Industry in underground Mines governed under the Mines Act. They are also required to attend break down and emergency duty apart from the daily routine duties. The concerned workmen filed a joint petition dt. 4-8-89 and approached the management of the colliery to declare them as departmental worker but the management did not listen. The union after having received no communication from the management raised an industrial dispute vide letter dt. 30-3-90 which ended in failure giving rise to the present reference. The concerned workmen have demanded their regularisation in the jobs and they be treated as permanent employee of Angarpathra Colliery. They have further prayed that they should be paid wages as provided under NCWA-III and IV, along with other allowances and consequential benefits.

4. The management by filling W.S. has refused the claims of the concerned workmen. It was stated that no workman was ever appointed by the management nor any appointment letter was issued to them. Their names were also not entered in Form B Register. They have not been provided with any identity card for their identification to draw wages from the pay counters. They have also not been issued any wage slips. Even during the course of conciliation proceeding no such papers were ever produced by the union to show that they worked under the management as Fitter and Tyndals as claimed by them. In this way it was submitted that the concerned workmen never worked under the management at any point of time and so there was no question of their regularisation.

5. The management further stated that one Shri Mahendra Yadav appearing at Sl. No. 2 of the list of the workmen was awarded some contract job of transporting materials from one place to another and he was paid the amount as per orders and the bills submitted by him. He was not regular contractor and was entrusted with the contract job as and when required. Shri Yadav engaged his own workers and he himself used to supervise their work. The wages were also paid by him. His workers had no connection with the management and they did not work under the control, supervision and direction of the management. In this way it has been urged that the demand of the union for the regularisation of the concerned workmen is not justified and the concerned workmen are entitled to no relief.

6. While giving parawise reply to the W.S. of the workmen the management submitted that no workman was member of the C.M.P.F. nor any contribution was given by them and it was for the union to prove this fact strictly. It was denied that the officers of the colliery have been supervising the duties of the concerned workmen and exercising control over them. It was also stated that the management has got permanent work force to attend to breakdown and emergency work and there was no requirement for engagement of any contract labour on such job. The work order was issued in the name of Mahendra Yadav in respect of temporary casual nature of job.

7. The point for consideration would be as to whether the concerned workmen are entitled for their regularisation as prayed for.

8. Admittedly the concerned workmen were not issued any appointment letter nor the identity card or the pay slip. Their names were also not entered in the Form B Register. WW-1 Shri Devendra Prasad Malik one of the concerned workman also stated in his cross-examination that they were not provided with any appointment letter or the identity card for they were not appointed by the company. Thus the matter is set at rest that the concerned workmen were not the employees of the company although they claim to have been working since 1978. They claim to have become the member of C.M.P.F. and making contributions thereunder. But no document has been filed to substantiate this fact. MW-1 Shri P. Jha stated to have verified all the relevant registers of the colliery but the names of the concerned workmen were not found in any register or the document. He admitted that in some of the document in the company the name of Shri Mahendra Yadav, one of the concerned workman appear as contractor. He has proved the photo copy of the work order (Ext. M-2 to M-2/8) wherein Mahendra Yadav has been shown as contractor.

9. It is the consistent case of the management that Shri Mahendra Yadav has been engaging his own men to accomplish the misc. job of engineering which was entrusted to him by the management. It is also stated that Shri Mahendra Yadav has been keeping control and supervision over their workmen. In this connection a short question may arise as to whether these concerned workmen were working under Mahendra Yadav or not? Mahendra Yadav has not been examined to say that the concerned workmen were working under him. Anyway the management also never challenged that they were not the men of Mahendra Yadav. MW-2 has failed to recognise any of the concerned workmen. WW-1 has stated that he and other concerned workmen have been working in Angarpathra colliery continuously since 1978. He has proved two payment registers (Ext. M-4 and M-4/1) showing the names of the concerned workmen and payment made to them. It also bears the signature of the L.E.O.(C) Katrasgarh. It may be relevant to mention here that the provision of Section of the Contract Labour (Regulation and Abolition) Act, 1970, payment of the contract labour is to be made in presence of the representative of the management signifying that the correct payment was made to the working employee of the contractor. The signature of Mahendra Yadav is also to be found at every places in these two payment registers. This prove that the concerned workmen had been working under Mahendra Yadav, the contractor. In cross-examination it has been suggested to the witness (WW-1) that these payment registers have been prepared for the purpose of this case. However, the suggestion has been denied. The witness has fur-

ther denied the suggestion put to his mouth that the signature of the LEO(C) Katrasgarh was not genuine. The question is if the signature of the LEO(C) is not genuine then it was for the management to examine the LEO(C) to deny his signature on these two registers. Mere putting suggestion will not be sufficient. From these facts it is now well proved that all the concerned workmen have been working under the contractor Mahendra Yadav. Impliedly it can be said that they were working as contract labour.

10. Now the follow up question for consideration would be as to whether a contract labour can be regularised in this jobs?

11. As regards the jobs it has not been stated specifically as to who was doing which job. In the annexure to the schedule of reference the designation of the concerned workmen have been shown against their names. But no evidence either oral or documentary has been adduced to prove this fact. But this much is proved that the concerned workmen have been working in the colliery since long as contract labour.

12. It is well settled law that permanent and perennial nature of work is not to be done by a contract labour. It is the case of the management that Mahendra Yadav was given contract for transportation of materials from one place to another which was temporary and casual nature of job. MW-1 has proved the work orders which are Ext. M-2 series. These work orders mostly show that the contractor Mahendra Yadav has been getting transportation work done. They were like transporting drum, shifting drill panel, drill cable from 6 level 5 dip to 4 level dip changing of 6" diameter shaft range, transporting oil filter machine from Katras Chaitodih Colliery to Angarpathra colliery, lowering rail from pit top to pit bottom and similar other job. MW-1 and WW-2 have stated that all these were of temporary nature of job. In this regard MW-2 put pointed his statement that the contract work was given in respect of misc. engineering job only concerning transportation of machine from one place to another. Certainly these work orders show the transportation of work only which prima facie does not seem to be the work of permanent nature. But there are other work orders also which have been filed and proved on behalf of the workmen. Ext. W-6 series the work order disclose the nature of work which cannot be called temporary nature of work. The work order dt. 30-6-90 is for lifting M. S. Pipe from NAB seam to pit top after stocking in pit bottom. The work order dt. 7-11-90 speaks dismantling of machine and transporting it to a particular place. The work order dt. 2-5-90 states about lifting 60 PES, 30 lbs rail from pit bottom to pit top. Similarly the work order dt. 28-7-87 states about dismantling and lifting work. I find that most of the work orders are in respect of lifting of machine from pit bottom to pit top apart from dismantling work. Certainly transportation work was also there but it would be wrong to suggest that the concerned workmen had been doing only the transportation work.

13. As regards the qualitative value and urgency of the said work we may have a look to some of the noting sheets which have been marked Ext. W-5 series. These note sheets were given by the officials of the colliery namely Dy. C.M.E., F. O. and Colliery Engineers, to the General Manager, Katras Area for approval of the work and the amount to be incurred in doing that jobs. However, the name of Mahendra Yadav can be found almost in each noting sheet who had agreed to get the work done on the lowest rate.

14. The noting sheet dt. 4-2-89 and 17-2-89 is with respect to transportation and laying of cable. The noting sheet dt. 6-2-80 is with respect to sanction of the amount for installation of thickwall pipe after dismantling old pipe. It has been stated that it was not possible for the departmental men owing to other important misc. jobs a local highly skilled, experienced agency M/s. Mahendra Yadav was contacted who had done the same job earlier also. The said agency agreed to do the job at the lower approved rate for dismantling the old damaged range. These noting sheet atleast go to show that the concerned workmen have also been doing installation and dismantling work which in no case can be called inferior to the work doing by the permanent hands. The noting sheet dt. 21-12-88 is with respect to the transportation of endless set from 18th dip to 28th dip in 'O' I, in 20 Pit. It has been stated by the note giving authority in the following words :—

"To avoid any loss of production it was decided to get the work done on urgent basis by an outside agency keeping in view of the shortage of departmental man power owing to other parallel jobs."

It reads further,

"Accordingly Mahendra Yadav, a local highly skilled and experienced tyndal contract was contacted who on negotiation agreed to do the job."

This noting sheet speaks in so many words about the importance of work to be done by the concerned workmen. It also states that Mahendra Yadav being a very highly skilled and experienced tyndal contractor was getting the work done. This further stated about the quality of the workmen themselves. This means they were highly experienced and skilled in their work. That transportation work was so necessary that its non-compliance would have caused loss of production.

15. The noting sheet dt. 1-6-87 is with respect to the dismantling of the whole structure of old small head gear of R. K. Pit and removing it to a distance of 100 feet from the said pit. The noting sheet dt. 3-12-87 is again with respect to the dismantling of M. S. Pipe and transporting laying and joining M. S. pipe. In the same sequence I may refer one of the noting sheet dt. 14-12-87 which is in respect of uprooting 2 griders installation of two new griders uprooting and refitting pit to them landing. The importance of this work has been stated in the noting sheet in very many words. It can be said that Mahendra Yadav has been getting the most important work done by his workmen i.e. the concerned workmen regularly.

16. As regards regularity of the work I find that attendance register and the payment register will speak volume about it. The attendance and payment register will show that the days of the work employed by the concerned workmen. Not only that it will also disclose that the concerned workmen have been doing the job regularly. The contract labour doing permanent nature of job for years together will simply suggest that were the workmen of the employer company and not the contractor. No doubt the payment was made by the contractor but that will be deemed to be a camouflage system to deprive the concerned workman of their bonafide and right claim which accrued in their favour by doing permanent nature of job for years together. The attendance register under (Ext. W-3 to W-3/3- are for the years 1988 to 1992. The payment register under (Ext. W-4 and W-4/1) are for the year 1988 and 1989. These registers will simply show that these concerned workmen have been doing for sufficient member of days in a month. On calculation of the work done in a calendar year it may not come to 240 days attendance but definitely had exceeded 190 days. In this connection I would like to mention that from the work order and the noting sheets it has been well established that the concerned workmen have also been going underground to accomplish their jobs. Continuous service as defined under Section 25B of the I.D. Act is 190 days in case of underground workmen. So it can be said that the concerned workmen have been doing continuous service in a calendar year completing 190 days of attendance.

17. WW-1 has stated that while going underground they were provided with cap lamp in the lamp rooms. It is true that while going underground mine a workman must be provided with a cap lamp whoever he may be. Again a short question may crop up as to whether Mahendra Yadav was authorised to go to underground and to look after and supervise the work of the concerned workmen? The answer must go in negative. Mahendra Yadav being a contractor cannot be permitted to go underground and so natural sequence will be that the underground work of concerned workmen must have been looked after and controlled by the management officials. Circumstance are speaking that partial control rested with the management.

18. The concerned workmen had represented their case vide Ext. W-1 to the Dy. C.M.F., Angarpathra colliery for their regularisation but it was of no use. Ext. W-2 is the photo copy of the letter dt. 14-2-90 written by the Secretary of union to the Dy. C.M.F., Angarpathra colliery for their regularisation on the ground that the concerned workmen have already completed 190 days of attendance while working underground duty. As said above there is no evidence that the concerned workmen had been working as Fitter, Head Mistry and Tyndal. It has already been stated that

no evidence has been adduced to prove this facts but it has come on the record and well proved that Mahendra Yadav had been doing his work through skilled hands. The concerned workmen have also sworn in affidavit to the effect that they have been working since 1986 in Angarpathra colliery and they are still working there. These affidavits have been marked Ext. W-8 series.

19. I have considered various aspect of the matter and I am to hold that the concerned workmen have been doing permanent nature of job for years together. No doubt they have been doing as contract labour but in my view that was a camouflage system to deprive them of their rightful claim. For the reasons stated above I am to hold that the concerned workmen are entitled for their regularisation as Cat. I Mazdoor under the management of Angarpathra colliery of M/s. B.C.C.L. The management is thus directed to regularise all the concerned workmen as Cat. I Mazdoor giving all the benefits as provided under NCWA-III and IV within two months from the date of publication of the Award.

This is my Award.

B. RAM, Presiding Officer

ANNEXURE

Sl. No.	Name of Workmen	JOB/Post.
1. Shri Devendra Prasad		Fitter
2. Shri Mahendra Yadav		Head Mistry
3. Shri Bideswar Prasad		Fitter
4. Shri Rambaran Jaswara		Tyndal
5. Shri Surendra Uadav		"
6. Shri Satyendra Yadav		"
7. Shri Debi Rajwar		Fitter
8. Shri Abdul Kayum		"
9. Shri Lachman Sao		Tyndal
10. Shri Sikandar Sao		"
11. Shri Rajdeo Yadav		"
12. Shri Dideswar Prasad		"
13. Shri Seplal Paswan		"
14. Shri Anguram Mali		"
15. Shri Munna Sao		"
16. Shri Sidhucharan Mali		"
17. Shri Ratan Harizan		"

सई दिल्ली, 1 फरवरी, 1994

का.प्रा. 595-- औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसूच में, केन्द्रीय सरकार मैसर्स टाटा स्टील लि. की जामादोरा कोलियरी के प्रबंधन के संबंध में उनके कर्मचारियों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण (सं. 1), धनबाद के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 13-1-84 को प्राप्त हुआ था।

[(सं. एल-20012 (246)/91-आई.आर. (कोल-1)]

सी. गंगाधरन, हेड अधिकारी

New Delhi, the 1st February, 1994

S.O. 595.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal. (No. 1), Dhanbad as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Jamadoba Colliery of M/s. TISCO and their workmen, which was received by the Central Government on 31-1-94.

[No. L-20012(246)/91-IR(Coal-I)]
C. GANGADHARAN, Desk Officer
ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL NO. 1, DHANBAD

In the matter of reference under Sec. 10(1)(d) (2-A)
of the Industrial Disputes Act, 1947.

Reference No. 24 of 1993

PARTIES:

Employers in relation to the management of Jamadoba
Colliery of M/s. Tata & Steel Company Limited,
P.O. Jamadoba, Dist. Dhanbad

AND

Their Workmen.

PRESENT:

Shri P. K. Sinha, Presiding Officer.

APPEARANCES:

For the Employers—None.

For the Workmen—None.

STATE : Bihar.

INDUSTRY : Coal.

Dated, the 18th January, 1994

AWARD

The present reference arises out of Order No. L-20012-(246)/91-I.R. (Coal-I) dated 11-12-1992 passed by the Central Government in respect of an industrial dispute between the parties mentioned above. The subject matter of the dispute has been specified in the schedule to the said order and the said schedule runs as follows :

"Whether the action of the management of Jamadoba Colliery of M/s. Tata Iron and Steel Company Limited, P.O. Jamadoba, Dist. Dhanbad in dismissing from service of Sri. Rajman Ex-Belt Cleaning Mazdoor is justified? If not, to what relief the workman is entitled?"

2. Settling their dispute out of the Court, the parties have filed a joint memorandum of settlement. I have gone through it and find the settlement so arrived at to be fair and reasonable. Accordingly I pass an award in terms of memorandum of settlement which was also form part of the award.

3. Let a copy of this award be sent to the Ministry as required under Sec. 15 of the Industrial Disputes Act, 1947.

P. K. SINHA, Presiding Officer

BEFORE THE PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1, DHANBAD.

PARTIES:

Employers in relation to the management of Jamadoba colliery of M/s. Tata Iron & Steel Company Limited, P.O. Jamadoba, Dist. Dhanbad.

AND

Their workmen

The parties involved in this dispute beg to submit as under:

The Central Govt. vide its Notification No. L-20012(246)/91-I.R. (Coal-I) dated 8-1-1993 has referred the following dispute for adjudication:—

"Whether the action of the management of Jamadoba colliery of M/s Tata Iron & Steel Company Limited, P.O. Jamadoba, Dist. Dhanbad in dismissing from service of Sri Rajman, Ex. Belt Cleaning Mazdoor is justified. If not, to what relief the workman is entitled?"

During the pendency of the above dispute, the concerned workman Sri Rajman had represented the case for consideration for re-employment through the Secretary, Rashtriya Colliery Mazdoor Sangh, Jamadoba Branch, a Unions recognised in our establishment.

That after threadbare discussion, it was mutually agreed between the concerned workman, the union i.e. Rashtriya Colliery Mazdoor Sangh and the management to settle the dispute on the following Terms and conditions:—

TERMS & CONDITIONS

- (1) That Sri Rajman, the concerned workman will tender his apology in writing to the management for the misconduct committed by him.
- (2) That upon tendering of the apology, the management will consider the case of the concerned workman for re-employment without any back wages.
- (3) That accordingly, Sri Rajman will be re-employed without any back wages or any other monetary benefit for the period he was under dismissal.
- (4) That upon his re-employment, Sri Rajman will be placed at 6 & 7 pits colliery as a Belt Cleaning Mazdoor.
- (5) That the conduct and performance of Sri Rajman will be watched for a period of six months and if the same are found satisfactory, continuity of service only will be granted to him. He shall, however, not be entitled to get any other monetary benefits from the date of dismissal till he resumes upon acceptance of this compromise.
- (6) That Sri Rajman, the concerned workman has submitted apology for the misconduct committed by him and assured to refrain from such act in future.
- (7) That in view of the above terms and conditions, it was mutually agreed to re-employ him at 6 & 7 pits colliery and that the terms of settlement is fair and this shall be filed by the concerned workman and the Secretary, Rashtriya Colliery Mazdoor Sangh before the Honble Tribunal praying for its acceptance.

In light of the above circumstances, the parties pray that the above settlement may kindly be recorded and an no dispute Award passed in terms thereof.

FOR THE MANAGEMENT

FOR THE WORKMAN

(1) (K. B. Trehan),

General Manager,

TISCO. Collieries,
P.O. Jamadoba,
Dist. Dhanbad

(S. K. Mahato),

Secretary,

RASHTRIYA COLLIERY MAZDOOR
SANGH,

Jamadoba Branch,
P.O. Jamadoba,
Dist. Dhanbad.

(2) (S N. Sinha),
Divisional Manager (P&W),
Tisco. Collieries,

P.O. Jamodaba.
Dist. Dhanbad.
Sd/-

Rajaman,
Ex. Belt Cleaning Khalasi,
Ex. T. No. 28088,
Jamadoba colliery,
P.O. Jamadoba,
Dist. Dhanbad.
WITNESSES

Sd/-

(ANWAR HASHMI)

Asstt. Divisional Manager (P),
TISCO, Collieries,
Jamadoba,
Dist. Dhanbad.

Sd/-

RANJAN P.D. SINGH,
PRESIDENT.

Rashtriya Colliery Mazdoor Sangh,
Jamadoba Branch,
P.O. Jamadoba,
Dist. Dhanbad.

Dt. 15-9-93.

Part of the Award

P. K. SINHA, Presiding Officer

नई दिल्ली, 3 फरवरी, 1994

का.घा. 596.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, मैसर्स मैन्ट्रुल कोल-फील्ड्स लि. की गिरिदीह कोलियरी के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निहित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण (सं. 2), धनबाद के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 1-2-94 को प्राप्त हुआ था।

[सं. एन-24012/88/86-डी-4 (बी) आई आर (कोल-1)]

सी. गंगाधरन, डेस्क अधिकारी

New Delhi, the 3rd February, 1994

S.O. 596.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, (No. 2), Dhanbad as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Giridih Colliery of M/s. C.C.L. and their workmen, which was received by the Central Government on 1-2-94.

[No. L-24012/88/86-DIV(B)/IR(C. D)]
C. GANGADHARAN, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL NO. 1, DHANBAD

PRESENT:

Shri B. Ram, Presiding Officer

In the matter of an industrial dispute under Section 10(1)(d) of the I.D. Act, 1947.

Reference No. 53 of 1987

PARTIES:

Employers in relation to the management of Giridih Colliery of M/s C.C. Ltd. and their workmen.

APPEARANCES:

On behalf of the workmen—Shri N. P. Singh, Area Secretary, R.C.M.S.

429 GI/94—8.

On behalf of the employers—Shri R. S. Murthy, Advocate.

STATE : Bihar.

INDUSTRY : Coal.

Dated, Dhanbad, the 24th January, 1994

AWARD

The Govt. of India, Ministry of Labour in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-24012(88)/86-D IV(B), dated, the 17th January, 1987.

SCHEDULE

"Whether the action of the management of Giridih Colliery of M/s. C.C. Ltd., PO Baniadih, Dist. Giridih in denying appointment to Mohd. Haider in place of his father Shri Latoo Meah who voluntarily retired is legal and justified? If not, to what relief the concerned workman is entitled?"

2. The matter is pending since the year 1987. One Shri N. P. Singh appeared on behalf of the workman and Shri R. S. Murthy for the management. Only on the last date Shri Singh appeared and filed a petition for passing 'No dispute' Award. Since the matter has been moved by the Area Secretary, Shri N. P. Singh who is representing the cause of the workman, I find no reason as to why no dispute award should not be passed. Accordingly a 'No dispute' Award is passed.

B. RAM, Presiding Officer

नई दिल्ली, 3 फरवरी, 1994

का.घा. 597.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, मैसर्स भारत कोकिंग कोल लि. की लेखरीह दीप कोलियरी के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निहित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण (सं. 2), धनबाद के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 1-2-94 को प्राप्त हुआ था।

[सं. एन-20012/252/90-आई आर. (कोल-1)]

सी. गंगाधरन, डेस्क अधिकारी

New Delhi, the 3rd February, 1994

S.O. 597.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, (No. 2), Dhanbad as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Laikdi Deep Colliery of M/s. BCCL and their workmen, which was received by the Central Government on 1-2-1994.

[No. L-20012/252/90-IR (Coal-I)]
C. GANGADHARAN, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL (NO. 2) AT DHANBAD

PRESENT

Shri B. Ram, Presiding Officer.

In the matter of an industrial dispute under Section 10(1)(d) of the I. D. Act, 1947.

REFERENCE NO. 22 OF 1991

PARTIES :

Employers in relation to the management of Laikdi Deep Colliery of M/s. Bharat Coking Coal Ltd. and their workmen.

APPEARANCES :

On behalf of the workmen : Shri D. K. Dey, Organising Secretary, Colliery Karamchari Sangh.

On behalf of the employers : Shri R. P. Majumdar,
Personnel Manager.

STATE : Bihar.

INDUSTRY : Coal.

Dated, Dhanbad, the 24th January, 1994.

AWARD

The Government of India, Ministry of Labour in exercise of the powers conferred on them under Section 10(1)(d) of the I. D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012/252/90-I.R. Coal-I, dated, the 17th January, 1991.

SCHEDULE

"Whether the demand of Dhanbad Colliery Karamchari Sangh for reinstatement with full back wages of Smt. Dulali Manjhain, Wagon Loader, Laikdih Deep Colliery of M/s. Bharat Coking Coal Limited is justified? If so, to what relief the workman is entitled?"

2. This reference is pending since the year 1991. The parties appeared and filed their respective W. S. Only on the last date i.e. on 17-1-1993 Shri R. B. Majumdar appearing on behalf of the management filed a compromise petition duly signed by both the parties and prayed that the reference be disposed of in view of the compromise petition. The petition of compromise duly signed on behalf of the workmen and the representative of the employer forms part of this record. For the reasons stated above I find no reason as to why this compromise petition should not be accepted. In the circumstances of the case a 'No dispute' Award is passed and the terms and conditions of the compromise will form part of the Award.

B. RAM, Presiding Officer
ANNEXURE

BHARAT COKING COAL LIMITED
(A Subsidiary of Coal India Limited)
Office of the General Manager
Chanach Victoria Area
Dated 9-12-1993.

Record Notes of Discussion held with S/Shri Chandeshwar Bhagat and D. K. Dey, Secretary, DCKS Union on 3-12-1993 at 11.00 AM in the Office of the Dy. CPM, CV Area.

PRESENT :

Representing Management :

- 1 Shri A. L. Roy, Dy. CPM
2. Shri R. P. Majumdar, P M

Representing Union :

1. Shri Chandeshwar Bhagat, Secretary, DCKS Union.
2. Shri D. K. Dey, Secretary, DCKS Union.

In the context of the decision taken as per the record notes of discussion held at DCP's level on 18-1-1992 with the DCKS Union and the Compromise Petition submitted before the CGIT-II at Dhanbad in pending Reference Case No. 22/91 regarding taking back Smt. Dulali Mejhain, ex-Casual Wagon Loader, Laikdih Deep Colliery, in employment a discussion was held to-day, i.e. 3-12-1993 with S/ Shri Chandeshwar Bhagat & D. K. Dey, Secretary, DCKS Union for an amicable settlement into the matter. After discussion, it has been agreed by both the parties that the case will be amicably settled on the following terms and conditions :—

TERMS AND CONDITIONS :

1. That, Smt. Dulali Mejhain will be taken back in employment subject to Medical Board for assessing her fitness for joining duties.
2. It has also been agreed that she will be taken back in employment as a Casual Worker by issuing the letter of reinstatement order within one month. The intervening period arises out of idleness on this account to be treated as dias-non.

3. With this settlement, the disputes raised by the DCKS union, in question, is resolved finally and the union agrees to withdraw the case from CGIT-II with this settlement on next date.

Sd/-

D. K. DEY, Secy, DCKS Union, CV Area.
CHANDESHWAR BHAGAT, Secy. DCKS Union, CV Area.

Sd/-

R. P. MAJUMDAR, P. M. CV Area.

Sd/-

A. L. ROY, Dy. Chief Personnel CV Area.

नई दिल्ली, 3 फरवरी, 1994

का.मा. 598—औद्योगिक विवाद श्रमनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, मेगर्न सेल्यून कोल-फील्ड्स लि. की गिरिडीह कोलियरी के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, (सं० 2) धनबाद के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 1-2-94 को प्राप्त हुआ था।

[सं. एन-24012/164/86-डी-4 (बी)/आईआर (कोल-1)]

सी. गंगधरन, डेस्क अधिकारी

New Delhi, the 3rd February, 1994

S.O. 598.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, (No. 2), Dhanbad as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Giridih Colliery M/s. CCL and their workmen, which was received by the Central Government on 1-2-1994.

[No. L-24012/164/86-D. IV (B)/IR (C. 1)]

C. GANGADHARAN, Desk Officer.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD

PRESENT :

Shri B. Ram, Presiding Officer.

In the matter of an industrial dispute under Section 10(1)(d) of the I. D. Act, 1947.

REFERENCE NO. 125 OF 1987.

PARTIES :

Employers in relation to the management of Giridih Colliery of M/s. Central Coalfields Limited and their workmen.

APPEARANCES :

On behalf of the workmen : Shri N. P. Singh, Area Secretary, RCMS. Union.

On behalf of the employer : Shri R. S. Murthy, Advocate.

STATE : Bihar.

INDUSTRY : Coal.

Dated, Dhanbad, the 24th January, 1994.

AWARD

The Government of India, Ministry of Labour in exercise of the powers conferred on them under Section 10(1)(d) of the I. D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-24012/164/86-D. IV (B), dated, the 13th April, 1987.

SCHEDULE

"Whether the action of the Management of Giridih Colliery of M/s. Central Coalfields Limited, P. O. and Distt. Giridih in terminating the services of S/Shri Ishwari Prasad, Sabadeo Rabidas and Md. Ashique without holding an enquiry when they are

the real dependants of S/Shri Biswanath Ram, Late Dukhan Rabidas and Md. Hanif who were allowed to retire voluntarily under clause 10.4.3 of NCWA-II, is legal and justified? If not, to what relief the workmen are entitled?"

2. This reference is pending since 1967. The parties appeared and filed their respective W. S. One Shri N. P. Singh Area Secretary, RCMS appeared for the workmen. On the last date he appeared and filed a petition for passing a 'No dispute' Award. Shri R. S. Murthy appeared for the management has got no objection. By filing a petition dated 28-12-1993 the Area Secretary, RCMS prayed for passing 'No dispute' Award on the ground that the details of the case was not available either with the workmen or the union. Since the matter has been moved by the Area Secretary of the union I find no reason as to why 'No dispute' Award should not be passed. Accordingly a 'No dispute' Award is passed.

B. RAM, Presiding Officer.

नई दिल्ली, 3 फरवरी, 1994

का.प्र. 599—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, सैसस भारत कोकिंग कोल लि. की तेलुमारी कोलियारी के प्रबंधन के संबंध नियोजकों और उनके कर्मचारियों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण (सं. 2), धनबाद के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 1-2-94 को प्राप्त हुआ था।

[सं. एल-24012/103/86-डी-4 (बी) आई प्रार
(कोल-1)]

सी. गंगाधरन, डेस्क अधिकारी

New Delhi, the 3rd February, 1994

S.O. 599.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, (No. 2), Dhanbad as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Tetulmari Colliery of M/s. B.C.C.L. and their workmen, which was received by the Central Government on 1-2-94.

[No. L 24012/103/86-D.IV(B)/IR (C.I.)]
G. GANGADHARAN, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD

PRESENT :

Shri B. Ram, Presiding Officer.

In the matter of an industrial dispute under Section 10(1)(d) of the I. D. Act, 1947.

REFERENCE NO. 60 OF 1987

PARTIES :

Employers in relation to the management of Tetulmari Colliery of M/s. Bharat Coking Coal Limited, Sijua Area and their workmen.

APPEARANCES :

On behalf of the workmen : Shri G. D. Pandey, Jt. General Secretary, R.C.M.S

On behalf of the employers : Shri G. Prasad, Advocate. Dated, Dhanbad, the 24th January, 1994

STATE : Bihar

INDUSTRY : Coal

AWARD

The Govt. of India, Ministry of Labour in exercise of the powers conferred on them under section 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal

for adjudication vide their Order No. L-24012/103/86-D. IV(B), dated, the 12th January, 1987.

SCHEDULE

"Whether the action of the management of Tetulmari Colliery of M/s. B.C.C.L. Sijua Area-V in denying promotion and pay scale of Tech. Gr. B as Foreman to Shri Birendra Kishore Singh Fitter (Mech.) Tetulmari Colliery from 1983 is justified? If not, to what relief the workman is entitled?"

2. In this case both the parties appeared and filed their respective W. S. document etc. Subsequently at the stage of evidence both the parties appeared and filed a Memorandum of Settlement. I heard both the parties on the said petition of settlement and I do find that the terms contained therein are fair, proper and beneficial to both of them. Accordingly I accept the said terms of settlement as fair and pass an Award in terms thereof which forms part of the Award as Annexure.

B. RAM, Presiding Officer

ANNEXURE

BEFORE THE HON'BLE PRESIDING OFFICER
CENTRAL GOVT. INDUSTRIAL TRIBUNAL NO. 2
DHANBAD

Ref. case No. 60 of 1987

Employers in relation to the management of Tetulmari Colliery, Sijua Area of M/s. Bharat Coking Coal Limited.

AND

Their workmen.

The humble petition of compromise on behalf of the parties most respectfully sheweth :—

1. That, the Government of India, Ministry of Labour, New Delhi, by a notification No. L-24012/103/86-D-IV(B) dated 12-1-87 have referred the instant industrial dispute to this Hon'ble Tribunal for an adjudication U/S 10 (1)(d)(2A) of the Industrial Disputes Act, 1947. The schedule of the reference is reproduced below :—

SCHEDULE

"Whether the action of the management of Tetulmari colliery of M/s. B.C.C.L., Sijua Area V in denying promotion and pay scale of Technical Grade-B as Foreman to Sri Birendra Kishore Singh, Fitter (Mech.) Tetulmari colliery from 1983 is justified? If not, to what relief the workmen is entitled?"

2. That, the parties discussed the dispute out side the court and have settled the said dispute on the following terms and conditions :—

TERMS OF SETTLEMENT

- (1) That, Sri Birendra Kishore Singh will be placed in Tech. & Supr. Grade 'B' effect from 1st January 1989 notionally.
- (2) That, his pay fixation will be done as if promoted from the same date i.e., from 1-1-1989, the financial benefits, will however, accrue from the 1st day of January 1993.
- (3) That, it was agreed that both the parties will approach the Hon'ble C.G.I.T. No. 2, Dhanbad to record the aforesaid compromise and pass an Award in terms of settlement.
- (4) That, this settlement resolves all the disputes fully and finally between the parties and the workman concerned Sri Birendra Kishore Singh, shall have no claim whatsoever.

It is, therefore, prayed that your honour may graciously be pleased to accept the above compromise and pass an Award in terms of the settlement.

Representing union
(G. D. Pandey)
Jt. General Secretary
R. C. M. S.
(Birendra Kishore Singh)
workman concerned

Representing management
(M. K. Singh)
General Manager
Sijua Area, BCCL
(M. P. Dubey)
Dy. C. P. M.
Sijua Area
(S. K. Singh)
P. M. (IR) Sijua Area

Tribunal for adjudication vide their Order No. L-26012/5/89-IR (Misc.) dated, the 19th September, 1989.

SCHEDULE

"Whether the action of the management of Kiriburu Iron Ore Mines of Bokaro Steel Plant (SAIL), Kiti-buru in dismissing the services of Shri Bideshi Sahu Plumber-cum-Pipe Fitter w.e.f. 23-11-87 is justified. If not, what relief is the workman entitled to?"

2. In this reference the action of the management of Kiriburu Iron Ore Mines has been challenged in dismissing the concerned workman Shri Bideshi Sahu, Plumber-cum-Pipe Fitter from 23-11-87.

3. The concerned workman claims to be the permanent employee of the establishment of Kiriburu Iron Ore Mines since the time the mine was under the control, management and ownership of National Mineral Development Corporation Ltd. (Govt. of India Undertaking). He did not know as to when the mine was transferred to Bokaro Steel Plant. He did not receive any notice by the ongoing management that the services of the workman of Kiriburu Iron Ore Mines was transferred to the management of Bokaro Steel Plant and as such he did not know as to which officer of incoming management was his controlling authority.

4. The concerned workman as issued chargesheet dt. 20-3-1986 alleging therein that he on 18-3-86 used filthy language to Shri K. C. Setha, A.E. (Civil) and threatened him that he had been marked absent for 3 days. He was also alleged to have gone to the office of the Sr. E. E. (Civil)'s office in a furious mood and wanted to know the reason for not granting him 3 days casual leave. He was also alleged to have caught hold of Sr. E.E. (Civil) by his throat and intended to hit his body. In the meantime one Shri S. P. Singh, Assistant Gr. II came to his rescue and took the concerned workman out of his chamber. He was issued chargesheet under Rule 47(b), 48(xv) and 48(viii) of the certified Standing Orders of the mines Ext. M-1.

5. The concerned workman submitted his explanation on 25-3-86 denying all the charges (Ext. M-2). It is stated that the management without considering the explanation ordered for domestic enquiry which was conducted in violation of the principles of natural justice and he was illegally dismissed from the services with effect from 23-11-87 (Ext. M-10). It is stated that the order of dismissal was not issued by the competent authority.

6. At this stage it may be pertinent to mention that the domestic enquiry was held to be fair and proper on being conceded by and on behalf of the concerned workman.

7. The management filed W.S. and submitted that the concerned workman was appointed on temporary basis. It was stated that after coming into effect of public sector (Iron and Steel) Restructuring Misc. Provision Act, 1978 on and from 1-5-78 Kiriburu Iron Ore Mines came under the management of Bokaro Steel Plant a unit of Steel Authority of India Ltd. By virtue of the said Act the service condition of the transferred employees remained the same without any alteration.

8. The management stated that the allegations were true and the concerned workman was issued chargesheet. The explanation submitted by the concerned workman was found not satisfactory and so a domestic enquiry was ordered which was conducted in all fairness keeping in view of the principles of natural justice. Since the allegation was serious the concerned workman was dismissed from his services. The management denied that the authority issuing chargesheet and passing order of dismissal was not competent authority. In this way it has been urged that the concerned workman has not no case and is not entitled to any relief.

9. The question for consideration would as to whether there are sufficient materials before the Enquiry Officer to hold the concerned workman guilty of the charges and if so whether the punishment inflicted upon the concerned workman was proportionate to the misconduct as alleged.

10. The chargesheet was submitted by Shri C. R. Shivaswamy, Dy. General Manager (Iron), B.S.L. The concerned workman replied to the chargesheet suggesting that he admit-

Witnesses :—

(2) Sd/-

(1) Sd/-

नई दिल्ली, 31 जनवरी, 1994

का.प्र. 600.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, उसे दिनांक 28-1-94 को प्राप्त किरिबुरु आयरन ओर माइंस प्रबंधन के संबंध में उनके कर्मचारों और नियोजताओं के बीच हुए औद्योगिक विवाद के संबंध में अनुबंध में यथोक्त केन्द्रीय सरकार औद्योगिक अधिकरण नं. 2, धनबाद के पंचाट को प्रकाशित करती है।

[मं. एल-26012/5/89-आई.प्रार. (बिबिध)]

बी.एम. डेविड, डेस्क अधिकारी

New Delhi, the 31st January, 1994

S.O. 600.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, No. 2, Dhanbad as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Kiriburu Iron Ore Mines and their workmen which was received by the Central Government on 28-1-94.

[No. L-26012/5/89-IR(Misc.)]

B. M. DAVID, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD

PRESENT :

Shri B. Ram, Presiding Officer.

In the matter of an industrial dispute under Section 10(1)(d) of the I.D. Act, 1947.

REFERENCE NO. 20 OF 1989

PARTIES :

Employers in relation to the management of Kiriburu Iron Ore Mines of Bokaro Steel Plant (SAIL) and their workmen.

APPEARANCES :

On behalf of the workmen : Shri S. Bose, Vice-President, Indian National Mine workers Federation, Rajendra Path, Dhanbad.

On behalf of the employers : Shri J. P. Singh, Advocate.

STATE : Bihar

INDUSTRY : Iron Ore Mine

Dated, Dhanbad, the 18th January, 1994

AWARD

The Govt. of India, Ministry of Labour in exercise of the powers conferred on them under Section 10(1)(d) of the I. D. Act, 1947 has referred the following dispute to this

ted the authority to be the proper authority competent enough to issue chargesheet. Even in reply to the chargesheet the concerned workman did not whisper even a word regarding incompetency of chargesheet issuing authority.

11. The order of dismissal was passed by Shri G. D. Singh, General Manager (M&Q) vide Ext. M-10. As regards the competency the competency of the General Manager in issuing order of dismissal I may refer to Ext. M-12 which is an office order dt. 7-4-86 regarding delegation of administrative and disciplinary power to the Executives at various levels (General Managers and downwards). The said order was passed by Shri R. N. Pandit, Dy. Manager (Co-ordination). By this office order it is almost made clear that even the General Managers were delegated powers to pass the order of dismissal. In view of this fact I am of the view that Shri G. D. Singh was the competent authority to pass order of dismissal.

12. I have perused the enquiry report submitted by Shri Arjun Singh and the evidence adduced during the course of enquiry. The management examined three witnesses to prove the misconduct against the concerned workman. MW-1 Shri K. C. Setha has stated in details about the manner of occurrence. He stated as to how the concerned workman on the alleged date of occurrence and time came to his office and abused him in filthy language. The concerned workman had gone there to know about the grant of his 3 days casual leave. I find that nothing has been illicit to disbelieve the credence of this witness.

13. MW-2 Shri R. C. Das is Sr. E.E. He narrated the tale of his suffering. He explained that the concerned workman entered his office without any permission and wanted to know the reason for refusal of his three days casual leave. He also stated that he (Bideshi Sahu) reached nearer to his table and caught hold of him by his throat. Shri S. P. Singh intervened and took the concerned workman out of his chamber. As stated by the witness Shri S. P. Singh had come to his office after having heard shouts of Shri Sahu and this fact finds support from the evidence of Shri S. P. Singh. The concerned workman has stated in his evidence that he had gone to the office of Shri K. C. Setha in furious/hot mood and this is suggestive of the fact that he had already lost his mind and decided to quarrel and abuse the officials. MW-3 Shri S. P. Singh stated to have been the concerned workman catching hold of Shri Das by his throat when he reached his chamber. He intervened and got separated the concerned workman by application of force. These two witnesses have stood the taste of cross-examination. Catching hold of by throat will amount to assault. In order to constitute assault it is not necessary that physical blow must be given. Mere show of force will constitute the offence of assault. As regards medical examination I do not think that there was any need to examine any doctor. There is no evidence that Mr. Das was ever examined by any medical officer. Mere catching hold of throat is not necessarily to produce any injury and so it was not necessary at all that Shri Das should have consulted any physician.

14. From the evidence of MW-3 it has already been illicit that Shri S. K. Dey, Steno and T. S. Routh Overseer were present in their chamber at the time of occurrence. The concerned had stated that he wanted to examine Shri T. S. Routh, Shri M. K. Jha and Shri S. K. Dey and prayed before the enquiry officer for time. Proceeding was adjourned to 20-2-87. From the proceeding I find that ultimately the concerned workman could not produce any witness.

15. I have examined every aspect of the matter and in my opinion the misconduct as alleged against the concerned workman have already been proved. It is also true that the concerned workman was called upon to make his submission before he was inflicted any punishment. The order of dismissal simply shows that in the opinion of Shri G. D. Singh (M&Q), the concerned workman was not a fit person to be retained in service and that was why a major penalty of dismissal was imposed. Nothing has been brought on the record to show that the concerned workman had misbehaved and abused any authority prior to this occurrence. No doubt hurling of filthy language and assault on the officials by employee should not be taken very lightly but the penalty of dismissal is the highest penalty which should be inflicted in

most rare cases. I feel that permanent withholding of one increment plus a warning to the concerned workman will meet the ends of justice. In the circumstances of the case the order of dismissal as passed vide Ext. M-10 is hereby set aside and the management is directed to reinstate the concerned workman to his original post with stoppage of one future increment permanently and warning within 2 months from the date of publication of the Award. There will be no order as to back wages or the cost of the proceeding. But the concerned workman will get the continuity of his services.

This is my Award.

B. RAM, Presiding Officer

नई दिल्ली, 31 जनवरी, 1994

का.प्रा. 601.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुकरण में, केन्द्रीय सरकार, उसे दिनांक 31-1-94 को प्राप्त विशाखापट्टनम पोर्ट ट्रस्ट प्रबंधन के संबंध में उनके कर्मकारी और नियोजकों के बीच हुए औद्योगिक विवाद के संबंध में अनुबंध में यशोवत औद्योगिक अधिवारण हैदराबाद के पंचपट को प्रकाशित करती है।

[सं. एन-34012/6/87-डी-IV (ए)]

बी.एम. डेविड, डेस्क अधिकारी

New Delhi, the 31st January, 1994

S.O. 601.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Hyderabad as shown in the Annexure in the industrial dispute between the employers in relation to the management of Visakhapatnam Port Trust and their workmen which was received by the Central Government on 31-1-1994

[No. L-34012/6/87-D.IV (A)]

B. M. DAVID, Desk Officer

ANNEXURE

BEFORE THE INDUSTRIAL TRIBUNAL AT HYDERABAD

PRESENT :

Sri Y. Venkatachalam, M.A., B.L., Industrial Tribunal-I.

Dated, 17th day of January, 1994

Industrial Dispute No. 10 of 1988

BETWEEN

The Workmen of Visakhapatnam Port Trust, Visakhapatnam.—Petitioner.

AND

The Management of Visakhapatnam Port Trust, Visakhapatnam.—Respondent.

APPEARANCES :

Sarvasri S. Ramachandra Rao and M. Kesava Rao, Advocates—for the Petitioner.

Ms. K. Srinivasa Murthy and G. Sudha, Advocates—for the Respondent.

AWARD

The Government of India, Ministry of Labour, by its Order No. L-34012/6/87-D.IV (A), dated 6-1-1988 referred the following dispute under Section 10(1)(d) (2-A) of the Industrial Disputes Act, 1947 between the Management of Visakhapatnam Port Trust and their workmen to this Tribunal for adjudication :

"Whether the action of the management of Visakhapatnam Port Trust, Visakhapatnam is justified in terminating the services of Sri Kilada Appa Rao, Ex-Khalasi Shore, Visakhapatnam Port Trust without giving him fair and reasonable opportunity to

defend his case. If not, to what relief the said workman is entitled?"

This reference was registered as Industrial Dispute No. 10 of 1988 and notices were served on both the parties.

2. The brief facts of the claim statement filed by the Petitioner-Union read as follows :

The workman Sri Kiladi Appa Rao was appointed as a casual labour Khalasi (Shore) in the Mechanical Department, Visakhapatnam Port Trust. The workman belongs to the Schedule Caste and he was appointed for the same reason. The service of the workman were regularised as Khalasi (Shore) in Dry Dock of Mechanical Department, Visakhapatnam Port Trust, Visakhapatnam from 21-1-1986. While he was so working, Chief Mechanical Engineer, Visakhapatnam Port Trust issued to him a letter dated 7-4-1986 alleging that the workman produced a false transfer certificate and got himself appointed as Khalasi Shore in Mechanical Department, Visakhapatnam Port Trust. The workman further submits that in response to the above letter he sought time to submit his reply. And on 9-5-86 this workman sought further extension of time to submit his explanation within three weeks. After receiving the above letter by the C.M.E., issued No. E/M/PC/7379-6119 dated 16-6-86 terminating the services of this workman with immediate effect i.e. 16-6-1986. The order terminating the services of this workman is illegal, invalid and inoperative as it is opposed to the Visakhapatnam Port Employees (Classification, Conduct and Appeal) Regulations 1962 and the principles of natural justice. The Management neither issued any valid articles of charges nor held any enquiry as required under Regulations 10 and 11. The workman prays to set aside the order dated 16-6-1986 passed by the Management terminating the services of the workman, and to order the reinstatement of the workman into service with back wages with all attendant benefits, and thus pass the Award in favour of the workman holding that the Visakhapatnam Port Trust, Visakhapatnam was not justified in terminating the services of the workman i.e. Sri Kiladi Appa Rao, Ex-Khalasi Shore, Visakhapatnam Port Trust.

3. The brief facts of the counter filed by the Respondent read as follows :—

Sri Kalida Appa Rao a S.C. candidate sponsored by the Employment Exchange was selected and kept on panel for the post of Mechanist Gr. III in the Mechanical Department of Visakhapatnam Port during 1982. He could not be appointed during the currency of the panel for want of vacancy. On this representation he was initially recruited as Casual Labour w.e.f. 20-11-84 in the Mechanical Department and subsequently he was appointed as regular Khalasi (Sh) on 22-1-86 in Dry Dock Section Pool. At the time of his initial appointment, he submitted a School Transfer Certificate bearing No. 449228 dated 16-7-75 issued by the Head Master, Zilla Parishad High School, Dattirajeru in Vizianagaram District in respect of his qualifications. Since there is a correction in the date of birth in the certificate submitted by Sri K. Appa Rao at the time of his appointment, the same was referred to the District Educational Officer, Vizianagaram for verification. After verification, the District Educational Officer, Vizianagaram informed that the certificate submitted by the candidate is not genuine as per the office copy of the transfer certificate in the school and that the candidate's date of birth is 5-7-1957 but not 5-7-1958 and that the date of birth was tampered purposefully without the knowledge of the concerned school authorities. Since Sri K. Appa Rao had put in about 4 months service in the cadre of Khalasi (Shore) a show cause notice was issued to him by the Chief Mechanical Engineer (Appointing Authority) proposing to terminate the services of Sri K. Appa Rao for production of false school

certificate at that time of his appointment into the port service. It is pertinent to submit at this stage that particular age will be fixed for the purpose of recruitment the minimum age prescribed is 18 years and maximum 25 years for Khalasi. Sri K. Appa Rao was fully aware of this rule and he was also aware that he was age barred even for applying for the said post. That was the reason, with an ulterior motive he submitted the certificate making alteration with regard to date of birth. After due enquiries the management terminated him. When the show cause notice was served on he requested for extension of time for 20 days to submit his explanation to the show cause notice. His request as considered by the Appointing Authority and Sri K. Appa Rao was informed that the extension of time was granted upto 10-5-1986 and advised him to submit his explanation before that time. Instead of submitting the explanation, the said Appa Rao submitted another representation dated 9-5-1986 requesting to give time for 3 more weeks. As no explanation was received by the Chief Mechanical Engineer even on 25-6-86 there was no justification for giving any further extension of time, the Chief Mechanical Engineer (Appointing Authority) terminated the services of Sri Killada Appa Rao with effect from 16-6-1986. As per the procedure in vogue in Visakhapatnam Port Trust, the original certificates submitted by the Petitioner were sent to the respective authorities for verification of their genuiness. Accordingly, his transfer of school certificates was sent to the District Educational Officer, Vizianagaram for verification. On verification, D.E.O. Vizianagaram informed in his letter dated 17-2-86 that the said transfer certificate of the Petitioner is not genuine one as his date of birth was tampered with purposefully without the knowledge of the school authorities. As per Regulation 10 of Visakhapatnam Port Employee (Recruitment, Seniority and Promotion) Regulations 1964 the services of an employee on probation can be terminated if on the receipt of any information relating to his nationality, age, health or antecedents he is considered in eligible or otherwise unfit for being continued in service. The petitioner also preferred an appeal dated 31-7-86 to Chairman, Visakhapatnam Port Trust against the order of termination of service, his representation was carefully considered by the Chairman in the interest of natural justice but the appeal was disallowed as it had no merits. As per the petitioner was on probation and his services can be terminated without notice under the V.P.E. (R.S. & P) Regulations 1964, the question of conducting departmental enquiry under the V.P.E. (CCA) Regulations 1968 does not arise in this case. Hence the allegation of the petitioner that his termination is arbitrary and not based on any reliable material is incorrect. It is submitted that the procedure laid down in the Visakhapatnam Port Employees (Classification Control and Appeal) Regulations in 1968 is not applicable in respect of the petitioner as he was a probationer and his services could be terminated without notice and without following the procedure laid down in the said regulations. It is submitted that termination of service is not arbitrary, and is based on reliable material i.e. the verification report of the District Educational Officer Vizianagaram. It is prayed that the Hon'ble Tribunal may be pleased to dismiss the claim petition as it has no merits.

4. The brief facts of the rejoinder to counter filed by the workmen himself reads as follows :—

The workman respectfully submits that he produced the transfer Certificate issued by the Education Department. The correction in the Transfer Certificate was made by the Education Department only. Hence it is not tampered as alleged by the Management. It is also not correct to say that the workman is age barred, hence he altered the date of birth. It is also submitted the workman belongs to Schedule Caste community, hence he is eligible for appointment upto the age of 30 years. Hence the workman requested for time for show cause

notice, as he requested the District Educational Officer, Vizianagaram to issue correct date of birth certificate after due enquiry. But the Management without giving any time passed the termination order. The workman respectfully submits that the action of the Management in terminating the services without conducting the regular enquiry is illegal. The regulations 10 of Visakhapatnam Port Employees Recruitment, Seniority and Promotion Regulations 1964 is contrary to the provisions of Constitution of India and violative of principles of natural justice. The Hon'ble Supreme Court in a number of cases was pleased to hold that if stigma is attached even to a temporary or probationer, they are entitled the protection of Article 311(2) of Constitution of India. As such he is entitled for regular departmental enquiry under the Visakhapatnam Port Employees (C.C. & A) Regulation, 1968. The workman respectfully submits that in view of his termination from the service by the Management, the workman's father has made a representation to the District Education Officer Vizianagaram for issuance of Transfer Certificate after conducting the enquiry. Hence the District Educational Officer has conducted the detailed enquiry and submitted the report to the Director of School Education, Hyderabad. Ultimately the Education Department has issued the Transfer Certificate correcting the date of birth from 5-7-57 to 5-7-58. As such it is clear that the workman has not altered the date of birth to gain employment. At the time of his appointment, he submitted the correct date of birth. Immediately on 23-3-1990 and 24-5-1990 he made a representation enclosing the Transfer Certificate duly corrected by the Education Department to the management for reinstatement with full back-wages and other consequential benefits. But the Management has not taken any action. At first instance the management has terminated the workman basing on the report of the Education Department. Now the same department has corrected the date of birth and sent the same to the Management and as such the duty cast on the management to reinstate the workman with all consequential benefits. But the Management has kept quiet. For the reasons stated above, it is prayed that this Hon'ble Tribunal may be pleased to allow the I. D. No. 10 of 1988 with all consequential benefits.

5. The point for adjudication is whether the Respondent-Management is justified in terminating the service of Sri K. Appa Rao, without giving him fair and reasonable opportunity to defend his case or not?

6. WW-1 was examined on behalf of the Petitioner Union and marked Exs. W-1 to W-16. On the other hand MW-1 to MW-3 were examined on behalf of the Respondent and marked Exs. M-1 to M-5 on its side. Exs. X-1 to X-6 were marked.

7. WW-1 is K. Appa Rao the concerned workman. He deposed that he is the workman herein. He studied first standard and second standard at C.B.M.A.E School, Arikithota, Vizianagaram District. That was from 1963 to 1965. After School standard, he took T.C. the xerox copy of the T.C. is Ex. W-1. Afterwards he joined the School at Dattirajuru Village in P.S.C. School, Vizianagaram District. He studied in that School upto 5th class. He studied upto 10th Class in the same school but failed 10th Examination. In 1984 he joined the Port Trust as Casual Labourer. He was regularised on 21-1-1986 along with some others and Ex. W-2 is the regularisation order and he is in S. No. 8 in this Ex. W-2. Then he was suddenly issued a show cause notice. On 8-2-1986 he submitted the offer of temporary employment form Ex. W-3. In this Ex. W-3 he mentioned his date of birth as 5-7-1958. Later on he was issued a show cause notice dated 7-4-1986 (Ex. W-4). For Ex. W-4 a copy of the D.E.O.'s letter was enclosed that is Ex. W-5. His father applied to the Education Department to correct his date of birth as it was wrongly mentioned earlier and the office copy of that representation is Ex. W-12 dated 8-12-1988. After enquiry by D.E.O. the Director of School Education, Hyderabad ordered that the date of birth may be corrected as 5-7-1958 as per Ex. W-13. As per this Ex. W-13 later on the D.E.O. corrected his date of birth

as per proceeding 16-3-1990 Ex. W-14. A copy of Ex. W-14 was forwarded by the D.E.O. to the Chief Mechanical Engineer, Port Trust. The D.E.O. Vizianagaram also issued corrected T.C. Ex. W-15. He is an S.C. by caste (Madiga). The upper age limits for appointment in Port Trust for S.C. is 30 years. By the date he submitted his application for appointment i.e. Ex. W-3 he did not complete 30 years of age. He did not correct his year of birth in T.C. submitted to the Port authorities, fearing that he will be aged bar. He does not know how in the T.C. submitted by him (original) in the Port Trust at the time of appointment, the correction was made.

8. MW-1 is G. Ramakrishna Rao. He deposed that WW-1 was appointed as Khalasi Shores in January 1986, on permanent basis. The transfer certificate of the petitioner produced by him at the time of his appointment was referred to the D.E.O. Vizianagaram for ascertaining the date of birth the petitioner as there were corrections in the date of birth as entered in the Transfer Certificate of the petitioner which was marked as Ex. M-2. The date of birth of the petitioner in Ex. M-2 was noted as 5-7-1958 with a corroboration in figure '8' word 'eight'. They received a reply from D.E.O. stating that the original date of birth of the petitioner was 5-7-1957 and the photostat copy of the said reply is Ex. M-3. By the date of the receipt of original of Ex. M-3 the petitioner was under probation. The Respondent issued a show cause notice dated 7-4-86 in Ex. W-4. The petitioner requested extension of time for submitting the explanation as per Ex. W-6. Ex. W-7 is the letter issued to the petitioner extending the time. The petitioner later did not submit any explanation. Thereafter the services of the petitioner were terminated by the order dated 16-6-1986 in Ex. W-9. The correction in figure '8' word 'eight' were made subsequently thereafter referred them later to D.E.O. sending Ex. M-2 along with their covering letter on 3-3-1990.

9. MW-2 is R. R. I. Prasad Patro. He deposed that he has been working a Mandal Revenue Inspector, Rambhadrapuram since 22-3-1991. In response to the summon issued to M. R. C. Rambhadrapuram he produced the available documents as summoned. Exs. X-1 and X-2 are the two volumes of Birth Register of the year 1958 of Arikithota Village. Ex. X-3 is the letter dated 7-3-1991 addressed by the Labour Officer, II, Visakhapatnam Port Trust to the Mandal Revenue Officer, Rambhadrapuram requesting to furnish some information with regard to the Petitioner's birth particulars. Ex. X-4 is the reply dated 7-3-1991 given by M.R.O. Rambhadrapuram to Ex. X-3 together with the enclosure to Ex. X-4 with regard to date of birth certificate of K. Appa Rao, S/o Ramulu, Arikithota. The enclosure to Ex. X-4 is true copy of the certificate issue register and not the original. The original certificate issue register was not traced and therefore the true copy in the enclosure to Ex. X-4 was produced as it was available in the office and which was prepared on 7-3-1991. The certificate referred to in the enclosure to Ex. X-4 should have been prepared on the basis of the birth register of the year 1958. The entry in the enclosure to Ex. X-4 with regard to the date of birth of K. Appa Rao S/o Ramulu, Arikithota is not found in Exs. X-1 and X-2. Except Exs. X-1 and X-2 volumes there is no other volume of the birth register of the year 1958.

10. MW-3 is P. Yerraji Rao. He deposed that he was deputed by the Management of Respondent Port Trust to enquire the particulars of the date of birth of Petitioner from Mandal Revenue Office, Rambhadrapuram, CBM elementary School, Arikithota, MPP Elementary School (Special), Dattirajuru and ZPP High School, Dattirajuru. He gave Ex. X-3 letter in M.R.O.'s office on 7-3-1991. In response to his letter in Ex. X-3 the M.R.O. furnished the information to him in Ex. X-4 reply on the same day and gave him a true copy of certificate issue register enclosing the same to Ex. X-4. He has seen the original certificate issue register and verified the entry shown in enclosure to Ex. X-4. The Birth Register of 1957 was not shown to him they have searched for it and it was not traced. Ex. X-5 is the Admission Register of CBMA Elementary School, Arikithota containing the Admission Nos. from 160/325 to 626. This register is summoned by the Court at the instance of the Respondent. The name of K. Appa Rao is noted at Sl. No. 176/325 in black ink. Ex. X-6 is the Admission Register of M.P.P. Elementary School of Dattirajuru (Special) which was summoned by this Court at the instance of the Respondent and produced by the Head Master of the said school.

The name of K. Appa Rao i.e. the Petitioner is noted at Sl. No. 288 in Ex. X-6 Admission Register. The petitioner submitted the photostat copy of the record sheet in Form III to the Respondent at the time of enquiry and the said photostat copy of the said record sheet is Ex. M-4. It relates to C.B.M. Elementary School, Arikihota. In Ex. M-4 the Admission No. is noted as 446. On enquiries made by him he came to know Smt. K. Sarojini who signed on Ex. M-4 record sheet worked from 1976 to 1986 as Head Mistress and that she was not working as Head Mistress in that school during the year 1965. He went to ZPP High School, Dattirajeru and requested the Head Master of that High School to give him the information with regard to correct date of birth of the petitioner and he gave him a true copy of the Transfer Certificate of the Petitioner duly certified by the Head Master under the date 7-3-1991. Ex. M-4 is the photostat copy of the said true certified copy.

11. The case of the Petitioner workman that he produced a false transfer certificate and got himself appointed as Khalasi Shore in Mechanical Department of V.P.T. and that the Management issued a letter dated 7-4-1986 to submit his reply, the petitioner workman sought further extension of time from 9-5-1986 to three weeks. The Respondent after receiving the above letter issued Order dated 16-6-1986 terminating his services w.e.f. 16-6-1986. The Petitioner-Workman submits that the termination order is illegal and opposed to the V. P. Employees (Classification, Conduct and Appeal) Regulations 1952, that the Management has not followed Regulation No. 10 of the V.P.E. (C.C & A) Reg. 1968 nor held any enquiry.

12. On the other hand the contention of the Respondent-Management is that Sri Killada Appa Rao, was appointed as regular Khalasi (Shore) on 22-1-1986 in Dry Dock Section POOL, at the time of his initial appointment, he submitted a School Transfer Certificate bearing No. 449228 dated 16-7-75 issued by the Head Master, Zilla Parishad High School, Dattirajeru in Vizianagaram District that since there is a correction in the date of birth in the Certificate submitted by Killada Appa Rao, that after verification, the District Educational Officer, Vizianagaram informed that the certificate submitted by the candidate is not genuine as per the office copy of the transfer certificate in the school and that the candidate's date of birth is 5-7-1967 but not 5-7-1958 and that the date of birth was tempered purposefully without the knowledge of the concerned school authorities and finally after due enquiry, the Management terminated the workman from service.

13. The workman concerned filed his rejoinder stating that the correction in the Transfer Certificate was made by the Education Department only and hence it is not tempered as alleged by the Management, that it is not correct to say that the workman is age barred, hence altered the date of birth. That the Workman's father has made a representation to the District Educational Officer, Vizianagaram for issuance of Transfer Certificate after conducting the enquiry. The District Educational Officer conducted the detailed enquiry and submitted the report to the Director of School Education, Hyderabad. Ultimately the Education Department has issued the Transfer Certificate correcting the date of birth from 5-7-57 to 5-7-58. Hence the workman has not altered the date of birth at the time of recruitment in the Visakhapatnam Port Trust.

14. As seen from the records Ex. W-13 wherein the Director of School Education has issued a Proceeding No. L. Dis. No. 4989/H1/89, dated 17-2-1990 wherein it is mentioned that in the circumstances reported by the District Educational Officer, Vizianagaram Director is pleased to order for a correction of date of birth of Sri Killada Appa Rao. Ex-Pupli of G. P. High School Dattirajeru from 5-7-1957 to 5-7-58 under the powers vested with him. The District Educational Officer, Vizianagaram is requested to correct the date of birth of the candidate in the school records under proper attestation quoting this office proceedings. It is clear from the above that there was some mistake took place at the Education Department and thus there was no tampering of records i.e. correcting the date of birth by the Petitioner workman himself and submitted a false certificate. Thus I find that the petitioner workman has not altered the date of birth to gain employment. It is pertinent to note that Killadi Appa Rao is Scheduled Caste and he is eligible for

appointment upto the age of 30 years. Hence there was no necessity for the Petitioner-workman to alter his date of birth in the Transfer Certificate to secure employment. Hence the question of age bar does not arise. The other point the petitioner workman urged that the action of the Management in terminating the services without conducting the regular enquiry is illegal. As per Regulation 10 of Visakhapatnam Port Employees (Recruitment, Seniority and Promotion) Regulations 1964 the workman is entitled for regular departmental enquiry under the V.P.E. (C.C & A) Reg. 1968. Hence I find that the Respondent Management violated the principles of Natural justice. As per Article 311(2) of the Constitution of India, the Hon'ble Supreme Court held in a number of cases that if stigma is attached even to a temporary of probationer, they are entitled the protection under the said Article. It is also the case of the Petitioner-Workman that he sought further extension of time to submit his explanation within three weeks from 9-5-1986, the Respondent management instead of extending time for reply, terminated the petitioner-workman from service w.e.f. 16-6-1986. The Respondent Management ought to have given extension of time to the petitioner-workman to submit his explanation. I find the respondent has not given an opportunity to the petitioner-workman to submit his explanation nor conducted an enquiry before terminating the petitioner workman from service. Hence I find that the Respondent-Management has violated all principles of natural justice by not following the Regulation 10 of the V.P.E. (C.C & A) Regulations 1968. Therefore I find that the order dated 16-6-1986 passed by the Management terminating the services of the workman is set aside and the petitioner-workman is liable to be reinstated into service with back wages and all attendant benefits.

15. In the result, the action of the Management of Visakhapatnam Port Trust, Visakhapatnam is not justified in terminating the services of Sri Killada Appa Rao. Ex-Khalasi Shore, Visakhapatnam Port Trust without giving him fair and reasonable opportunity to defend his case. Sri K. Appa Rao is entitled to be reinstated into service with full back wages and all other attendant benefits.

Award passed accordingly.

Typed to my dictation, given under my hand and the seal of this Tribunal, this the 17th day of January, 1994.

Y. VENKATACHALAM, Industrial Tribunal-I

Appendix of Evidence

Witnesses Examined

for the Workmen :

WW-1—K. Appa Rao.

Witnesses Examined

for the Management :

MW-1—G. Ramakrishna Rao

MW-2—R. R. L. Prasad Patro

MW-3—Y. Yerraji Rao.

Documents marked for the Workmen :

Ex. W-1—Photostat copy of the Record Sheet Form III pertaining to K. Appa Rao.

Ex. W-2/22-1-86—Office Order No. CME(E)/147 dated 22-1-86 issued to K. Appa Rao and 10 others by the Chief Mechanical Engineer, Visakhapatnam Port Trust, Visakhapatnam.

Ex. W-3/8-2-86—Terms of the Offer of appointment dated 8-2-86 issued by the Chief Mechanical Engineer and attestation form submitted by K. Appa Rao at the time of joining in to V.P.T. as Khalasi.

Ex. W-4/7-4-86—Show cause notice dated 7-4-86 issued by the Chief Mechanical Engineer and Appointing Authority to K. Appa Rao.

Ex. W-5/17-2-86—Letter dated 17-2-86 addressed to the Chief Mechanical Engineer, Visakhapatnam Port Trust, Visakhapatnam by the District Educational Officer, Vizianagaram with regard to verification of School Certificate.

Ex. W-6/19-4-86—Request letter dated 19-4-86 of K. Appa Rao addressed to the Chief Mechanical Engineer and Disciplinary Authority, Visakhapatnam Port Trust, Visakhapatnam requesting for 20 days time to submit his explanation to the Show Cause Notice.

Ex. W-7/23-4-86—Letter dated 23-4-86 from Chief Mechanical Engineer, Visakhapatnam Port Trust, Mechanical Department to K. Appa Rao with regard to extension of time for submission of representation.

Ex. W-8/9-5-86—Representation dated 9-5-86 made by K. Appa Rao to the Chief Mechanical Engineer and Disciplinary Authority Visakhapatnam Port Trust, Visakhapatnam with regard to extension of time to submit his explanation.

Ex. W-9/16-6-86—Termination Order dated 16-6-86 issued to K. Appa Rao by the Chief Mechanical Engineer, Appointing Authority Visakhapatnam Port Trust, Visakhapatnam.

Ex. W-10/31-7-86—Appeal dated 31-7-86 submitted by K. Appa Rao to the Chairman and Appealing Authority, Visakhapatnam Port Trust, Visakhapatnam.

Ex. W-11/-10-86—Reply dated -10-86 given by Chief Mechanical Engineer to the Appeal dated 31-7-86 submitted by K. Appa Rao (Ex. W-10).

Ex. W-12/8-12-88—Representation dated 8-12-88 made by K. Ramulu to the Educational Officer.

Ex. W-13/17-2-90—True copy of the Proceedings of the Director of School Education Andhra Pradesh, dated 17-2-1990.

Ex. W-14/16-3-90—True copy of the Proceedings of District Educational Officer, Vizianagaram dated 16-3-1990.

Ex. W-15—Transfer Certificate No. 44290 issued to K. Appa Rao by the District Educational Officer, Vizianagaram.

Ex. W-16/23-7-86—Photostat copy of the Transfer Certificate issued by the Head Master, ZPH School, Dattirajuru to K. Appa Rao.

Documents marked for the Management :

Ex. M-1/8-2-86—Terms of the offer of appointment dated 8-2-86 issued by the Chief Mechanical Engineer and attestation form submitted by K. Appa Rao at the time of joining in to VPT as Khalasi (Ex. W-3).

Ex. M-2/16-7-75—Transfer Certificate dated 16-7-75 (No. 449228) issued to K. Appa Rao by the Head Master Z. P. High School, Dattirajuru.

Ex. M-3—Photostat copy of the letter sent by the District Educational Officer, Vizianagaram to the Chief Mechanical Engineer, Visakhapatnam.

Ex. M-4—Photostat copy of the record sheet form III of Sri K. Appa Rao.

Ex. M-5—Photostat copy of the Transfer Certificate issued by the Head Master, Z. P. High School, Dattirajuru, to K. Appa Rao.

Documents marked for the Respondent-Management

Ex. X-1—Birth Register of Volume I in the year 1958 of Arikithota Village, Saur Tq. Srikakulam Dist.

Ex. X-2—Birth Register of Volume II for the year 1958 of Arikithota Village, Saur Tq. Srikakulam Dist.

Ex. X-3/7-3-91—Copy of the letter addressed by the Labour Officer II, Visakhapatnam Port Trust to the M.R.O. Ramabhadrapuram with regard to date of birth particulars of K. Appa Rao.

Ex. X-4/7-3-91—Letter addressed by the M.R.O., Ramabhadrapuram to the Labour Officer, Visakhapatnam Port Trust, Visakhapatnam with regard to date of birth particulars of K. Appa Rao.

Ex. X-5—Admission Register containing Admission Numbers from 160/325 to 625, C.B.M.A.E. School, Arikithota.

Ex. X-6/28-2-92—Admission Register with covering letter of Mandal Praja Parishad Primary School, Dattirajuru (SPL).

नई दिल्ली, 31 जनवरी, 1994

का.प्रा.602.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, उसे दिनांक 28-1-94 को प्राप्त श्री.जी.सी. सप्त (बम्बई) प्रा. लि. प्रबन्धन के संबंध में उनके कर्मचारों और नियोजताओं के बीच हुए औद्योगिक विवाद के संबंध में प्रत्यक्ष में यथोक्त केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय नं-1 बम्बई के पंचाट को प्रकाशित करती है।

[नं० एन-31011/14/90-प्राई.पार. (विविध)]

बो. एन. डेविड, डेस्क अधिकारी

New Delhi, the 31st January, 1994

S.O. 602.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal-cum-Labour Court No. 1, Bombay as shown in the Annexure, in the industrial dispute between the employers in relation to the management of DBC's Sons (Bombay) Pvt. Ltd., and their workmen, which was received by the Central Government on 28-1-94.

[No. L-31011/14/90-IR(Misc.)]

B. M. DAVID, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1. AT BOMBAY

PRESENT :

Justice Shri R. G. Sindhakar,
Presiding Officer

Reference number-CGIT-1/88 of 1991

PARTIES :

The Employers in relation to the Management of DBC's Sons (Bombay) Pvt. Ltd.

AND

Their Workmen

APPEARANCES :

For the management : Shri Gokhale, Advocate.

For the Workmen : No appearance.

Industry : Port and Docks

State : Maharashtra.

AWARD

Bombay, dated the 23rd day of December, 1993

The following reference has been made to this Tribunal by the Government of India, Ministry of Labour, New Delhi, by letter dated 28-10-1991.

"Whether the Bargemen, working in Major Port and Dock at Bombay, employed by M/s. DBC's Sons, (Bombay)

Pvt. Ltd., Bombay are port and Dock Workers? If so, whether the Transport & Dock Workers' Union, Bombay, is justified in demanding the revised wages to these workmen working on Barges as Khalasis etc. on par with the settlement arrived at between All India Major Port & Dock, and 5 Federations of All India Port and Dock workmen on 12-6-89? If so, to what relief are the workmen concerned entitled to?"

2. After receipt of this reference on 15-11-1991, notices were issued to the parties and they were duly served. Both the parties remained absent inspite of service of subsequent notices.

3. The post of the Presiding Officer of this Tribunal was vacant, and when it came up before me on 13-07-1993, I directed issue of fresh notice to the parties. The matter came to be adjourned to 02-09-1993, 27-10-1993, 17-11-1993, and finally to 23-12-1993. There is no appearance on behalf of the Union, at whose instance the present reference has been made to this Tribunal, nor is any statement of claim filed on its behalf.

4. It is, not therefore, possible for me, to adjudicate upon the dispute in the absence of any material justifying the demand made by the Union, on behalf of the Bargemen employed by M/s. DBC's Sons (Bombay) Pvt. Ltd., Bombay.

5. In the circumstances, reference is disposed off, and award accordingly.

R. G. SINDHAKAR, Presiding Officer

नई दिल्ली, 31 जनवरी, 1994

का.भा. 603.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, उसे दिनांक 28-1-94 को प्राप्त सम्बन्धित पोर्ट ट्रस्ट प्रबंधन के संबंध में उनके कर्मचारियों और नियोजकों के बीच हुए औद्योगिक विवाद के संबंध में अनुबंध में सम्बन्धित केन्द्रीय सरकार औद्योगिक अधिकरण एवं अस न्यायालय नं. 1 बम्बई के पंचाट को प्रकाशित करती है।

[सं. एन-31012/48/92-आई आर (विधि)]

बी.एम. डेविड, डेस्क अधिकारी

New Delhi, the 31st January, 1994

S.O. 603.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal-cum-Labour Court No. I, Bombay as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Bombay Port Trust and their workmen, which was received by the Central Government on 28-1-94.

[No. L-31012/48/92-IR (Misc.)]

B. M. DAVID, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1, AT BOMBAY

PRESENT :

Justice Shri R. G. Sindhakar,
Presiding Officer.

Reference No. CGIT-1/64 of 1993

PARTIES :

The employers in relation to the management of Bombay Port Trust,

AND

Their Workmen

APPEARANCES :

For the management : Shri M. B. Anchan, Advocate.
For the workmen : No appearance

INDUSTRY : Port and Dock. STATE : Maharashtra

Bombay, dated the 23rd day of December, 1993

AWARD

The Government of India, Ministry of Labour has made the following reference to this Tribunal for adjudication under Section 10(1)(d) of the Industrial Disputes Act, 1947, by letter dated 17/23-9-1993.

"Whether the action of the Management of Bombay Port Trust, in terminating the services of Shri D. B. Naik, Security Guard after holding him guilty of Charges for misconduct of absence without leave, habitual absence etc. in Ex-parte enquiry proceedings—when he was under treatment for "Psychogenic-arnnesia" is just, proper and legal? If not, to what relief is the workman entitled to?"

2. The workmen have been duly served with a notice of this reference. In spite of the service, he remained absent on 22-11-1993, and the matter came to be adjourned to 23-12-93. As there is no statement of claim filed on behalf of the workman, nor has remained present, it is not possible to adjudicate upon this dispute in the absence of any material in support of the dispute.

3. In the circumstances, reference is disposed off and award accordingly.

R. G. SINDHAKAR, Presiding Officer

नई दिल्ली, 31 जनवरी, 1994

का.भा. 604.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार अधिस्टैंट इंजीनियर माइक्रोवेव (मैन्टेनेन्स), कारवार के प्रबंधन के संबंध में उनके कर्मचारियों और नियोजकों के बीच हुए औद्योगिक विवाद के संबंध में निम्नित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, बंगलूर को प्रकाशित करती है, जो केन्द्रीय सरकार को 31-1-94 को प्राप्त हुआ था।

[सं. एन-40012/154/90-आई आर (बी.टी.) (पीटी)]

के.वी.बी. उन्नी, डेस्क अधिकारी

New Delhi, the 31st January, 1994

S.O. 604.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Bangalore as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Asstt. Engineer Microwave (Maintenance), Karwar and their workmen, which was received by the Central Government on 31-1-94.

[No. I-40012/154/90-IR(DU)(P)]

K. V. B. UNNY, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, BANGALORE

Dated this 17th day of January, 1994

PRESENT :

Sri M. B. Vishwanath, B.Sc., B.L.,
Presiding Officer.

Central Reference No. 17/92

Sri Manohara T. Deshandari,
At & Post Divgi, Kumta Taluk,
Karwar District,
Uttar Kannada-481343

....I party

Vs.

The Asstt. Engineer,
Microwave (Maintenance),
Kajubhag,
Karwar-403601.

....II party

AWARD

In this reference made by the Hon'ble Central Government by its order No. L-40012/154/90-IR(DU) Dt. 17-1-92 under Sec. 10(2A)(1)(d) of I.D. Act the point for adjudications as per schedule to reference is :—

"Whether the Asstt. Engineer, Microwave (Maintenance), Kajubhag, Karwar is justified in terminating the services of Sri M. T. Deshabhandari, Mazdoor w.e.f. 1-2-86 ? If not, to what relief the workman is entitled ?"

2. In the claim statement it is contended :—

The I party appointed as mazdoor by the II party on 1-4-83 in Microwave Maintenance at Kajubhag, Karwar. The I party has served the II party sincerely. I party has worked continuously from 1-4-83 till 31-1-86. All of a sudden, on 1-1-86, the II party issued an order stating that the services of the I party were terminated w.e.f. 1-2-86. The only reason given in the termination order was economy measure. The I party's services were thus terminated illegally w.e.f. 1-2-86. The action of the II party amounts to retrenchment. The termination is illegal. The I party approached the II party on many occasions demanding reinstatement. The II party orally promised to reinstate but did not do it. The I party is therefore entitled to reinstatement and back wages with continuity of service.

3. In the counter statement it is contended :—

The matter has to be agitated before the Central Administrative Tribunal and not in this Tribunal. The I party was engaged purely on temporary basis. The I party was told that his services would be dispensed with everyday after the work. The I party was not recruited through employment exchange. The I party was not given any appointment order. Before terminating the services w.e.f. 1-2-86 the I party informed in writing one month in advance on 30-12-85 that his services were not required w.e.f. 1-2-86. This has been done on the instructions of the DOT minimise expenditure. The I party was told that he would be terminated at any time and the termination would not amount to retrenchment. The appointment was temporary. The services of I party were not terminated by way of any disciplinary action. The termination was made as there was no maintenance work of approach road. The reference has to be rejected.

4. In the order sheet dt. 21-7-92 it is stated that no separate issues are required. It is made clear that all other subsidiary points if any will be considered at the time of final arguments.

5. On behalf of the II party Vasudeva Rao, Asstt. Engineer (Technical) has been examined. On behalf of the I party he has not himself examined and closed his case.

6. No arguments were addressed that this Tribunal has no jurisdiction to try this matter. The I party is a mazdoor and he is a workman within the meaning of Sec. 2(s) of the I.D. Act. There is no substance in the allegation in the counter statement that the claim of I party is no maintainable.

7. The I party workman in his evidence has stated that he was appointed on 1-4-83 as full time casual labourer by II party and he got employment exchange interview card in February, 1984. He has stated that he appeared before J.E. who conducted the interview. He has stated that J.E. asked him to continue to work in regular manner.

The I party has stated that he continued to work till 31-1-86.

8. M.W.I Vasudevrao has admitted in his evidence that the I party workman worked continuously from 31-4-83 to 31-1-86 except for 1-1/2 month in July-August 1983. Even believing that the I party workman did not work for 1-1/2 month in July-August 1983, if the starting point is taken as 1-9-83, admittedly, I party has worked continuously from 1-9-83 to 31-6-86. It is plain as pickstaff that in any view of the matter the I party workman has worked continuously for more than 240 days in a year.

9. Ex. W.1 is the notice issued by the II party to I party workman in which it is stated that the services of the I party are likely to be terminated w.e.f. 1-2-86 as per the instructions contained in the letter from GMM Bombay. The instructions issued by the GMM Bombay cannot defeat the statutory rights of the I party workman.

10. A right is conferred on the I party workman under the provisions of the I.D. Act. When the Law confers a right, the Tribunal has to grant it.

11. The I party workman has worked for 240 days as enshrined in Section 25-B(2)(a)(ii) of the I.D. Act. Section 25-F says that no workman who has been in continuous service for not less than 1 year shall be retrenched by the employer until :—

(a) the workman has been given one month's notice in writing indicating the reasons for retrenchment and the period of notice has expired.

(b) the workman has been paid at the time of retrenchment, compensation which will be equal to 15 days average pay for every completed period of continuous service of may thereof in cees of six months,

(c) notice in the prescribed manner is served on the appropriate Government.

Taking that Ex. W.1 satisfies the condition 25-F(a), it is adjutantly clear that two other conditions precedent to retrenchment, viz., 25-F(b) and (c), have not been complied with. I am of opinion that the termination of the services of the I party workman without complying mandatory provisions of 25-F of the I.D. Act cannot be sustained.

ORDER

The order terminating the services of the I party workman w.e.f. 1-2-86 is hereby declared illegal. The II party is directed to reinstate the I party workman forthwith with continuity of service. The I party workman is granted 50 per cent of back wages. Award passed accepting the reference as stated herein. Submit to Government.

(Dictated to Stenographer, typed by him corrected, signed by me on this 17th day of January, 1994).

M. B. VISHWANATHAN, Presiding Officer

नई दिल्ली, 31 जनवरी, 1994

का. प्र. 603 :—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार विबीजनल इन्जिनियर कॉन्सिल केवल प्रोजेक्ट टेल्काम के प्रयत्न के सम्बन्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निविष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नं. 1 बम्बई के पंचरट की प्रकाशित करती है जो केन्द्रीय सरकार की 31-1-94 की प्राप्त हुआ था।

[सं. एल. 40012/104/92-प्रार्थी प्रार (सि.यु.) (बीडी)]

के सी.व. उज्ज्वी, हेन्क अधिकारी

New Delhi, the 31st January, 1994

S.O. 605.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, No. 1 Bombay as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Div. Engineer, Coaxial Cable Project Telecom and their workmen, which was received by the Central Government on 31-1-94

[No. L-40012/104/92-IR(DU)(Pt.)]

K. V. B. UNNY, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1, AT BOMBAY

PRESENT :

Justice Shri R. G. Sindhakar,
Presiding Officer.

Reference No. . CGIT-1/43 of 1993

PARTIES :

The employers in relation to the Management Divisional Engineer, Co-axial Cable Project Telecom, Bhopal.

AND

Their Workmen

APPEARANCES :

For the Management : B. R. Banoria, Representative.

For the workmen : No appearance.

INDUSTRY : Telecommunications STATE : Madhya Pradesh

Bombay, dated the 24th day of December, 1993

AWARD

The Government of India, Ministry of Labour, New Delhi, by letter dated 06-08-1993 referred the following dispute to this Tribunal for adjudication under Section 10(1)(d) of the Industrial Disputes Act, 1947.

"Whether the action of the management of Divisional Engineer Telecom, Co-axial Cable Project, Bhopal in retrenching the services of Shri Naharsingh w.e.f. 1-9-87 is justified? If not, to what relief he is entitled to?"

2. Notice of this reference has been served on the workman Shri Naharsingh. However, he has not appeared before this Tribunal, nor did he send any statement of claim.

3. In the absence of statement of claim, it is not possible to find out the basis of the grievance made by him, and adjudicate upon the same. In the circumstances, Shri B.R. Banoria, is also unable to find out what is the dispute about. In view of all this, the reference is disposed off, and Award accordingly.

R. G. SINDHAKAR, Presiding Officer

नई दिल्ली, 1 फरवरी, 1994

क्र.प्र. 606:—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार एस.सी. कोयल के प्रबन्धन से संबंधित नियोजकों और उनके कर्मचारियों के बीच अतुल्य में निम्नलिखित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिनियम द्वारा बोध के पंचदश को प्रकाशित करती है जो केन्द्रीय सरकार की 1-9-94 को प्राप्त हुआ था।

[नया नं-22012/84/90-आई प्रार (प-II)]

राजा लाल, डेस्क अधिकारी

New Delhi, the 1st February, 1994

S.O. 606.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal Hyderabad as shown in the Annexure, in the industrial dispute between the employers in relation to the management of S.C.C. Ltd. and their workmen, which was received by the Central Government on 1-2-94.

[No. L-22012/84/90-IR(C.II)]

RAJA LAL, Desk Officer

ANNEXURE

BEFORE THE INDUSTRIAL TRIBUNAL-I AT HYDERABAD

PRESENT :

Sri Y. Venkatachalam, M.A., B.L., Industrial Tribunal-I.

Dated : 22nd day of January, 1994

INDUSTRIAL DISPUTE NO. 54 OF 1990

BETWEEN

The Workmen of Singareni Collieries Company Limited, Ramakrishnapur, Adilabad District represented by the Vice President, A.P.C.M. Sangh, P.O. Bellampalli . . . Petitioner

AND

The Management of Singareni Collieries Company Limited, Ramakrishnapur. . . Respondent

APPEARANCES :

Sri G. Bikshapathi, Advocate for the Petitioner.

M/s. K. Srinivasa Murthy and G. Sudha, Advocate for the Respondent.

AWARD

The Government of India, Ministry of Labour, by its Order No. L-22012(84)/90-IR(C.II) dt. 26-8-1990 referred the following dispute under Section 10(1)(d) (2A) of the Industrial Disputes Act, 1947 between the Management of M/s. Singareni Collieries Company Limited, Ramakrishnapur and their Workmen to this Tribunal for adjudication :

"Whether the action of the Management of M/s. S.C. Co. Ltd., Ramakrishnapur in not paying one more day wages in addition to 2 musters with one rest to monthly rated staff who worked on paid holiday which falls on play day is justified? If not, to what relief the workmen are entitled to?"

This reference was registered as Industrial Dispute No. 54 of 1990 and notices were given to both the parties.

2. The Petitioner-Union filed their claims statement on 27-12-1990 whereas the Respondent Management filed their counter on 22-6-1991. After several adjournments, finally case came up on 17-1-1994 the advocate for the Petitioner stated that Nil award may be passed while heard both sides.

3. As seen from the docket sheet, the Petitioner workman is taking time for the last several adjournments and not coming forward to prosecute the case. Finally the Advocate for the Petitioner stated that nil award may be passed as the Petitioner-Workman is not interested in this case. Hence I find that there is no reason to adjudicate the industrial dispute. No award be passed in this case.

4. In the result, reference is terminated.

Typed to my dictation, given under my hand and the seal of this Tribunal, this the 22nd day of January, 1994.

Y. VENKATACHALAM, Industrial Tribunal-I

Appendix of Evidence

NII.

नई दिल्ली, 1 करवरी, 1994

का.सं. 607 :—औद्योगिक विवाद अधिनियम 1947 (1947 का 14) की धारा 17 के अनुसूचन में केन्द्रीय सरकार इच्छुसी एन के प्रबन्धन में गवर्न निगमों की ओर उनके कर्मचारों के बीच अनुसूचन में निहित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण बम्बई के पंचतद को प्रवाशित करती है जो केन्द्रीय सरकार की 31-1-94 को प्राप्त हुआ था।

[संख्या एस-22012/33/90-आई आर (सीII)]

राजा लाल, डेस्क अधिकारी

New Delhi, the 1st February, 1994

S.O. 607.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal Bombay as shown in the Annexure, in the industrial dispute between the employers in relation to the management of W. C. Ltd. and their workmen, which was received by the Central Government on 31-1-94.

[No. L-22012/33/90-IR C.II]

RAJA LAL, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1, BOMBAY

Present :

Shri Justice R. G. Sindhakar, Presiding Officer.

REFERENCE NO. CGFI-54 OF 1990

Parties :

Employers in relation to the management of M/s. W. C. Ltd. (Ghugus Sub-Area).

AND

Their workmen

Appearances :

For the Management : Sri Basi, Advocate.

For the Workmen : Workman present in person.

INDUSTRY : Mining

STATE : Maharashtra

Bombay, dated the 11th day of January, 1994

AWARD

The following reference has been made by Government of India, Ministry of Labour, New Delhi by letter dated 3-8-1990.

"Whether Shri Anil Bhaskar Paldhiker, Electrical Helper, who is entitled to get the promotion as Electrician in Category-IV from 1979 as per his certificate of Electrician from the management of Sub Area Manager, Ghugus Sub Area of M/s. WC Ltd., PO : Ghugus, Dist. Chandrapur is justified? If not, to what relief the workman is entitled and from what date?

2. The case of the workman is set out in statement of claim. He has successfully passed I.T.I. with trade Electrician in the year 1974. He was therefore appointed as Electrician Apprentice Trainee in the year 1975, and his candidature was sponsored by Employment Exchange. His initial payment was legal and proper and on successful and satisfactory completion of Apprentice Trainee for a period of one year, the management appointed him as Electrician, Helper category II on 9-2-1976. Since then he was performing the job without any complaint against him.

3. Shri Ashok Tadurwar, I.T.I. with trade Wireman and Ashok Wawarkar, I.T.I. with trade Electrician were appointed as Electrician Helpers in category II after about six months of appointment of Shri Paldhiker that is 9-2-1976. They have not undergone any apprentice training nor their candidature was sponsored by any Employment Exchange. It is his case that he was senior in experience, qualification and therefore, entitled to promotional post which was denied to him. According to him they were promoted to the category IV in the year 1979 and after 2 years in the year 1981 were promoted to category V. He contends that it was a case of favouritism by the management and he was discriminated.

4. He is according to the workman entitled to be placed in Electrician IV category pay scale with retrospective effect that is from the date of promotion given to Ashok Wawarkar and Ashok Tadurwar and thereafter in the pay scale of category V w.e.f. 1981 on same basis. He also claims arrears of wages on the basis of fixation and interest @ 18 per cent per annum.

5. On behalf of the management written statement has been filed on 15-11-1990. It is admitted that he was appointed as Electrician Helper on 9-11-1979 and continued to work as such. It is stated that for promotion to the post of Electrician in Category IV certain qualifications and certificates are required. Promotion from the post of Electrician Helper to Electrician Category IV are based upon the guidelines and cadre scheme provided for the same.

6. When the D.P.C. met in the year 1988 for considering the case of eligible candidates for promotion to the post of Electrician in category IV the case of the present workman Shri Paldhiker could not be considered because he does not possess the L. T. permit under Indian Electricity Rules for mines or 550 Volt mining permits issued by the Competent Authority for Coal Mines. These are the statutory certificates required as per the condition laid down in the cadre scheme. It is for these reasons that he was not qualified for promotion in view of the Cadre scheme.

7. It is then stated that some persons were working as Electricians independently and they were granted promotion to the post to Electrician category IV but this was before the introduction of the Cadre Scheme. Since Shri Paldhiker was working only as Electrician helper and he never discharged the duties of Electricians independently, his case cannot be compared with such persons who were granted promotion prior to the coming into force of the Cadre scheme. So far as Ashok Wawarkar is concerned it is stated that when the management noticed that he was wrongly promoted, the said order was cancelled by order dated 23-7-1989.

8. It is thus stated that there was no case of favouritism or discrimination and since he was not qualified, he could not be promoted. On acquiring qualification he would be considered and will be given promotion.

9. Thus the short point is whether Shri Paldhiker has been wrongly denied promotion by the management.

10. He was appointed as Helper/Electrician in category II. Next promotional post was Electrician Category IV. For that, minimum qualifications were : (i) Literate, (ii) Matriculate with I.T.I., (iii) L. T. permit under IB rules for Mines or 550 volt mining parts permit issued by Competent Authority applicable for Coal Mines. Eligibility was three years experience as Helper in Category II for literate and two years for matriculate with I.T.I. Mode of promotion was DPC/Trade test. The management relies upon it to show why in view of the qualifications prescribed Shri Paldhiker was not eligible for the promotional post in Category IV. It has to be noted at this stage that this is issued on 18-6-1984. The grievance of Shri Paldhiker is that he was eligible for this post in 1979 when two of his juniors, Ashok Wawarkar working as Electrician Helper in category II were promoted to category IV as the Electrician. He has stated that he was appointed as Electrician Helper before these two persons were appointed. According to him he had same qualifications as these persons had and yet he was denied promotion. As stated earlier the management is relying upon the instructions of 1984 which surely have to be read prospectively and not retrospectively. The management has not produced any rules, instructions, guidelines which were operating in the year 1979

for promotion and qualifications required for the same. It has to be noted that the management is speaking of meeting DPC in the year 1988. However, that is not the material date with respect to which we have to deal with in this dispute. The dispute relates to the cases of the year 1979 and therefore, the management ought to have replied to that part of the contention of Shri Paldhikar in the statement of claim and adduced material to show how he was not then entitled to promotion.

11. Instead of that it is relying upon instructions of 1984 and DPC meeting of 1988. That is not relevant for the purpose of adjudication of this dispute. It is not disputed that the two persons to whom reference has been made namely Ashok Tadarwar and Ashok Wawarkar were junior to Shri Paldhikar and were promoted in 1979 to category IV and thereafter, in 1981 to category V.

12. The management has in para 8 of the written statement stated that some persons were working as Electricians independently and they were granted promotion to the post of Electricians in category IV but this was before the introduction of Cadre scheme, and Shri Paldhikar was working only as Electrical Helper and did not discharge duties of Electrician independently and therefore, his case was not comparable to the cases of those others who were granted promotion prior to coming into force of the Cadre scheme. I am unable to find any merit in this submission. As stated earlier the guidelines, instructions, rules which were operating in 1979 have not been produced. From the instructions of 1987, it appears that Helper Electrician is the lowest and above that is the post of Electrician Category IV and thereafter Electrician Category V. Such was the position in 1979 also. However, without referring to the two cases mentioned also, However, without referring to the two cases mentioned general statement that some persons who were working as Electrician independently were promoted and that too prior to the introduction of the Cadre Scheme is in my opinion, no reply to the contention of the workman Shri Paldhikar. It has been then stated at the end of the para 8 that Shri Ashok Wawarkar was wrongly promoted and therefore, said order of promotion was cancelled by order dated 23-7-1989. The relevant papers are also produced which go to show that Shri Ashok Wawarkar was working as Electrician in category V and was promoted Electrician in Category VI by order dated 31-1/6-2-1989. Thereafter comes letter dated 5-6-1989 addressed by Deputy Personnel Manager to Deputy CME/ Agent Nakoda Incline, because of the dispute raised by Shri Paldhikar as to the circumstances under which Ashok Wawarkar was promoted as Electrician Fitter in Category VI and letter dated 23-7-1989 speaks of cancellation of that order of promotion of Shri Ashok Wawarkar. Thereafter there is another letter dated 18-9-1989 and it says that Wawarkar's promotion is withheld till he produced L. T. Permit. But that is with regard to promotion effected by order dated 31-1/6-2-1989 and that too of promotion from category V to category VI. Here in the present case one is concerned with promotion from category II to category IV and that too in the year 1979. Shri Paldhikar has been all alone asking the management in these proceedings to produce certain documents and it is found that though relevant the management has not been able to produce them.

13. Therefore, it is seen that the action of the management in not promoting Shri Paldhikar in the year 1979 when his juniors were promoted is not justified. Only justification given that he does not have a requisite L.T. Permit under the Indian Electricity Rules for Mines or 550 Volt mining parts permit issued by the Competent Authority for Coal Mines is not shown to be applicable to his case.

14. What is again to be seen is that the management shows that Shri Wawarkar's order is cancelled and that too of promotion from category V to category VI. Nothing has been stated about the orders of promotion of Shri Ashok Tadarwar. His case has been cited by the workmen in his statement of claim. What is stated in para 8 is a generalisation of some persons being promoted on the ground that they were independently working as Electrician and were promoted prior to the Cadre scheme.

15. The workman Shri Paldhikar in the course of the arguments has stated and in my opinion rightly that he has been discriminated and without reasons. In the year 1989 the workman Shri Paldhikar got a certificate dated 7-9-1989. He

produced the same. He also produced a licence obtained. Even then though eligible under the Cadre Scheme he is not promoted till this date. This is urged by him as the ground to show discrimination. He has been pleading with the management to consider his case and give him the necessary promotion and this is seen from the representations made by him in the year 1989. The remarks were called for by letter dated 1st April, 1989 from the Deputy Personnel Manager for the Agent, Nakoda Incline. What happened thereafter is not known. The result is that the action of the management in not promoting when two of his juniors were promoted in the year 1979 is unjustified and he is entitled to promotion w.e.f. the date his junior (immediate) was promoted to category IV. He would be also entitled to the consequent benefit of wages on the basis of that promotion. The management is also directed to consider his case of further promotions to cadre V in accordance with the rules prevailing at the time when he became eligible for promotion to that category and pay him arrears of wages on that basis. Award accordingly.

R. G. SIDHANKAR, Presiding Officer

नई दिल्ली, 1 फरवरी, 1994

का. 608 :- औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) के धारा 17 के अनुमरण में केन्द्रीय सरकार उक्त अधिनियम के अन्वये से संबद्ध निवेदनों और उनके कर्मचारों के बीच अनुबंध में निहित औद्योगिक विवाद में केन्द्रीय सरकार, औद्योगिक अफ़ेय, बम्बई के पंचट की प्रवृत्ति का है, जो केन्द्रीय सरकार को 31-1-94 को प्राप्त हुआ था।

[संख्या पूर्व-230 12/10-93-आई और (नं-11)]

राजा लाल, डेस्क अधिकारी

New Delhi, the 1st February, 1994

S.O. 608.-In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Bombay No. 1 as shown in the Annexure, in the industrial dispute between the employers in relation to the management of W.C. Ltd. and their workmen, which was received by the Central Government on 31-1-94.

[No. I-22012/194/92-IR (C.II)]

RAJA LAL, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. I, BOMBAY

PRESENT:

Shri Justice R. G. Sindhakar, Presiding Officer.

Reference No. CGIT-69 of 1992

PARTIES:

Employers in relation to the management of Rajur Sub Area, W.C. Ltd.

AND

Their workmen

APPEARANCES:

For the Management—Shri Kapoor, Advocate.

For the Workmen—Workman present in person

INDUSTRY : Mining.

STATE : Maharashtra

Bombay, dated the 11th day of January, 1994

AWARD

Government of India, Ministry of Labour, New Delhi has by letter dated 12-10-1992 made following reference under section 10(1)(d) of the Industrial Disputes Act, read with section 2A for adjudication.

Whether the order of terminating the services of Shri Motiram Vishwanath Bhagat, Surface Trammer from 2-9-91 by the Sub Area Manager, Rajur Colliery, Majri Group of Mines, W.C. Ltd., Wani Area, Dist. Yavatmal, is legal and justified? If not, to what relief the workman is entitled to?"

2. Shri Motiram Bhagat an employee on the establishment of the Western Coalfields Limited came to be dismissed by order dated 2-9-1991 after an enquiry into his 'misconduct'. He has filed his statement of claim stating therein that this order of termination which is passed under Standing Orders is not followed inasmuch as the service conditions of employees in the Coal Mines were governed by the provisions of Model Standing Orders. It is further contended that even under the Standing Orders his act did not amount to misconduct. Further contention is that he has not committed any misconduct as he occupied the quarter as per oral permission given to him by Senior Personnel Officer Shri Gohakar. He should not have been charged with the alleged misconduct. It is then contended that he was not allowed to be represented by a person of his choice to defend at the enquiry, that Shri Gohakar was not examined, that findings are perverse and that second show cause notice was not given. It is also contended that the penalty imposed is shockingly disproportionate and while inflicting the penalty past record was not considered.

3. So far as the management is concerned it is admitted that Shri Motiram Bhagat was an employee and that his services were terminated. It is contended that it has been done in accordance with the procedure prescribed by the Standing Orders applicable to the industry and that fair opportunity was given to Motiram to defend himself by engaging a person of his choice. It is also stated that the Standing Orders applicable to the Industry have been applied. It is then contended no oral permission by Shri Gohakar was granted nor is it permissible to be occupy quarter not allotted in accordance with the claim of allotment that too by breaking open the lock and this, according to the management amounted to 'misconduct'. After the enquiry into this misconduct, his services were terminated. It is denied that the findings are perverse. It is also denied that second showcause notice was necessary. It is contended that the penalty of dismissal was correct in the circumstances of the case to deter persons committing similar misconduct.

4. I will deal with the challenge to the order of termination with a view to find out whether the same is legal and justified.

5. Shri Motiram was charged for misconduct which consisted on occupying a quarter No. 11 of 64 double storey colony without written permission or order of Competent Authority and after breaking open the lock of the company and staying therein. The chargesheet is Annexure 'A'. He has replied the same on 17-6-1991 and he had stated therein that he belonged to Scheduled Caste and priority is not given to him at the time of several allotments right from 1976 to 1991. He further stated that the management is arbitrarily allotting quarters and matters should be considered and then justice should be done to poor labourers like him. The enquiry committee was constituted and an enquiry conducted into the charge. He was explained the charge which he admitted to have understood. Witnesses were thereafter examined and he wanted to defend himself by Shri Barde and that permission was granted to him and Barde defended him. There is no merit, therefore, in the contention that he was not allowed to be represented by a person of his choice. The Enquiry Officer has mentioned this fact in his report also.

6. The Enquiry Officer came to the conclusion at the end of the enquiry that Shri Motiram was guilty of the charge of misconduct. I stated earlier the facts that he occupied the quarter No. 11, that there was no allotment of that quarter in his favour were not in dispute. It was, therefore, found by the Enquiry Committee that the charge was duly proved against him. It is difficult to say that the findings are perverse as contended by Shri Motiram. They appear to have been based on the material that was before the committee.

7. The grievance is that Shri Gohakar was not examined in the enquiry proceedings. It was the case of the delinquent Motiram that Shri Gohakar had given oral permission and I do not think that it was for the management to examine him. It must be stated that the name of Shri Gohakar transpired in the enquiry only in the course of his defence statement. Even then the management had in the course of the written statement submitted that if a request had been made to produce him, it would have complied with such request and such request does not appear to have been made. And therefore, Shri Gohakar was not examined. It is also stated that Shri Gohakar had at the time the enquiry was held, met with an accident and was in the Hospital. I do not think the enquiry is vitiated on the ground of non-examination of Shri Gohakar.

8. It is then contended that the second showcause notice has not been given. I find from the Standing Orders applicable to Coal Mines that procedure prescribed under clause 17 does not contemplate such second showcause notice. Clause 17(ii) states amongst other things that at the end of the enquiry proceedings shall be given to the workman concerned on the conclusion of the enquiry, on request by the workman. Such request does not appear have been made and therefore, not supplied. Therefore, question of giving the second notice and failure to do that resulting in vitiating the enquiry does not arise. It is then urged that the Model Standing Orders for industrial establishment for Coal Mines, Company applied. The management has applied Model Standing Orders for industrial establishment for Coal Mines. It is submitted on behalf of the management that there are no such Standing Orders framed by the original companies owning Coal Mines much less were any such Standing Orders applied. Misconduct as envisaged by clause 17 of the Model Standing Orders has been in my opinion rightly applied and the misconduct is contemplated by 17(a).

9. It is lastly urged that the penalty imposed is shockingly disproportionate to the gravity of the charge. I already stated about the charge levelled against him. The charge is that he broke open the lock of quarters No. 11 entered the same and occupied it without the same being allotted to him by an order or written permission. It appears from his defence taken in the enquiry proceedings that he had grievance against the allotment of quarters and though he belonged to the scheduled caste he was not allotted the quarter from the year 1976 till 1991. So far as this aspect of his grievance is concerned the management has stated that there is a committee constituted on which the representatives of the workmen/union are taken and then that committee makes allotments. That committee is the allotment committee. The management has also produced the minutes of the allotment Committee meeting of 16-4-1991 dated 21-5-1991. It also produced the notice of House Allotment Committee to show that the committee played a leading role in the allotment of quarters. It is seen from the allotment orders dated 27-5-1991 that there are scheduled caste employees to whom allotment has been made. Therefore, grievance made that he belonged to the scheduled caste and yet not allotted quarter may not be justified. Apart from this I do not see how the same could be a justification for breaking open the lock of a quarter and enter into it without the same being allotted to him. It has to be noted that his grievance is that others who occupied unauthorisedly have not been dealt with in the manner in which he has been dealt with. There again the management has stated that the others surrendered quarters and Sri Motiram was also given an opportunity of reinstatement if he vacated the quarter and he declined to do so and continued to occupy the same. I think therefore, so far as the penalty aspect is concerned which is in the discretion of the Disciplinary Authority does not deserve to be interfered with on the ground urged by the employee.

R. G. SINDHAKAR, Presiding Officer

गई दिल्ली, 1 फरवरी, 1994

का.पा. 609-1-—औद्योगिक विवाद अधिनियम, 1947
(1947 का 14 की प्रा. 17 के अन्तर्गत में, केन्द्रीय सरकार कड कार्यमन्त्रालय आषा इन्डिया के प्रबन्धन में संबद्ध नियोजकों और उनके कर्मचारों के बीच अन्तर्गत में निम्नित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिकी 18-1-94 की प्राप्ता हुआ था।

अधिकरण, मद्रास के पंचनय को प्रकाशित करती है, जो केन्द्रीय सरकार को 31-1-94 को प्राप्त हुआ था।

[संख्या एन-22012/83-एफ/91-आईआर (सी-II)]

राजा लाल, डेस्क अधिकारी

New Delhi, the 1st February, 1994

S.O. 609.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Madras as shown in the Annexure, in the industrial dispute between the employers in relation to the management of FCI and their workmen, which was received by the Central Government on 31-1-94.

[No. L-22012/83-F/91-IR (C-II)]

RAJA LAL, Desk Officer

ANNEXURE

BEFORE THE INDUSTRIAL TRIBUNAL, TAMIL NADU MADRAS.

Friday, the 24th day of December, 1993.

PRESENT :—

THIRU K. SAMPATH KUMARAN, B.A.B.L., IN-
DUSTRIAL TRIBUNAL.

INDUSTRIAL DISPUTE NO. 64/91

(In the matter of the dispute for adjudication under Section 10(1)(d) of the Industrial Disputes Act, 1947 between the Workmen and the Management of Food Corporation of India, Madras).

BETWEEN :—

The Workman represented by
The Zonal Secretary,
F.C.I. Employees Union,
C/o. Food Corporation of India,
2, Haddows Road,
Madras-600 006.

AND

Zonal Manager,
Food Corporation of India,
No. 2, Haddows Road,
Madras-600 006

REFERENCE : Order No. L-122012/93/91-IR (C-II), dated 3-10-91, Ministry of Labour, Government of India, New Delhi.

This dispute coming on for final hearing on 14th day of December, 1993 upon perusing the reference, Claim Statement and all other material papers on record and upon hearing the arguments of Thiru R. Kamatchisundaresan for Tvl. Rov and Reddy, Advocates appearing the Workman and the Management being absent, and set exparte and this dispute having stood over till this day for consideration, this Tribunal made the following

AWARD

This is a reference made for the adjudication of the following issue :

"Whether the action of the Management of Food Corporation of India in denying the regularisation to the following workers viz. 1. D. Vasantha Kumar 2. N. Benjamin Bhaktharaj, 3. R. Chandra, 4. M. Singaravelu, 5. K. Vasanthi, 6. K. Nagam-mal, 7. M. Narayanamma, 8. KV. Sadanandam, 9. S. Rajalakshmi and 10. Smt. S. Parvathi is justified ? If not, to what relief they are entitled ?

The petitioner filed the following Claim Statement :

The Food Corporation of India in the four southern states viz. Andhra Pradesh, Karnataka, Kerala and Tamil Nadu

engaged about 155 persons as part time sweepers, scavengers, gardeners, lift operators, etc., out of whom 74 were in Tamil Nadu. Although, they were said to be engaged on part time basis, in fact all of them have been working on full time basis. By a letter dated 30-1-90, the Head Office of the Corporation communicated its decision to regularise persons who were engaged as casual/daily rated workers prior to 2-5-86 in the South Zone and to dispense with the services of those engaged after 2-5-86. Accordingly, out of 74 workmen employed in Tamil Nadu, the services of 62 workmen were regularised. The remaining 12 were not given regular appointment for the reason that they were engaged after 2-5-86. Thiru K. V. Sadhanandam joined the services of the respondent on 29-9-86 as a lift operator on a daily rated basis, and has been in continuous service without any break ever since. The post of the lift operator is a regular post sanctioned by the order no. 1090 dated 2-1-90 by the respondent's Head Office. There is no other lift operator except Sri. Sadhanandam. Even if the management were to dispense with the services of Sadhanandam, it has to engaged another lift operator. It cannot claim that his services are no longer required. Since he has been in the service of the respondent continuously from 1986, his services are to be regularised. To terminate his services on the plea of surplusage would be illegal. Fixing the cut-off date for regularisation as 2-5-86 is discriminatory and against principles of natural justice. Though the claimant was engaged on daily wage basis, he worked on all days of the year. He worked from 9.00 a.m. to 6.00 p.m. everyday of the week. The workman ought to have been confirmed long ago as per Tamil Nadu Industrial Establishments (Conferment of Permanent Status to the Workmen) Act, 1981. As per the said Act, the workmen who has put in continuous service of 480 days in a period of 24 calendar months should be conferred permanent status in establishment. One of the main contentions of the respondent is that regularisation is for against regular post. The petitioner cannot be penalised for non-sanctioning of the post. In any case, since the post of the lift operator has been made regularly sanctioned post by an order dated 2-1-90, it is just and proper to regularise the services of Sadhanandam the lift operator. The action of the management in continuing the worker on full time basis and calling that work as a temporary one, though the work is of permanent nature, is unfair labour practice. Item 10 of Scheduled V of the Industrial Disputes Act specifically provides that engaging Badli for years together and denying workers permanency would amount to unfair labour practice. Therefore, an award may be passed directing the respondent to regularise the services of K.V. Sadhanandam from 20-9-86 with consequential benefits of continuity of service and back wages.

3. The respondent remains absent and has been set exparte.

4. Though the reference has been made with reference to 10 persons, at the time of enquiry, evidence was let in only with regard to K. V. Sadhanandam. Even the Claim statement has been filed only with regard to K.V. Sadhanandam, lift operator. Therefore, the issues that arise for consideration are :

1. Whether the action of the respondent in fixing the cut-off date for regularisation of the casual workers as 2-5-86 is proper.
2. Whether K. V. Sadhanandam is entitled to be regularised as a lift operator from 20-9-86 with consequential benefits ?

5. The issues : The Secretary of the Petitioner-Union stated in his evidence that Sadhanandam is working as lift operator from 29-9-86 and is working continuously. He stated that he is paid daily wages only and will not be paid any wages for holidays. To show that the post of lift operator is a regularly sanctioned post, the petitioner has filed Ex. W-1. The letter fixing the cut off date for regularisation purposes has been marked as Ex. W-2. The order appointing Sadhanandam as Lift operator has been marked as Ex. W-4 and is dated 30-9-86. The list of sanctioned posts prior to 2-1-90 has been marked as Ex. W-5, and that includes the post of the lift operator also for the South Zonal Office. The letter written by the Zonal Office to the Head Office recommending regularisation is marked as Ex. W-9. But inspite of the fact that

K. V. Sadhanandam has been working from 30-9-86, he has not been regularised. There is no satisfactory explanation as to why those who were engaged as casuals upto 2-5-86 only were regularised. The respondent also remains absent and does not contest this case. In these circumstances and does not contest this case. In these circumstances of these casuals as 2-5-86 is unjust and improper, and that Sadhanandam is entitled to be regularised from 30-9-86 with attendant benefits. Though, the reference relates to some others also, there is no claim statement on behalf of them and therefore no relief is granted in respect of them.

6. In the result, an award is passed directing the respondent to regularise the services of K. V. Sadhanandam, the lift operator from 30-9-86 with consequential attendant benefits. No costs. No relief is granted with regard to the others mentioned in the reference as they have chosen not to make any claim and prove their cases.

Dated, this 24th day of December, 1993.

THIRU K. SAMPATH KUMARAN. Industrial Tribunal.

WITNESSES EXAMINED

For Workmen :

WW.1 : Thiru V. M. Dhamodharan.

For Management : None

DOCUMENTS MARKED

For Workmen :

Ex. W-1|2-1-90 : Sanction order for the re-fixation of the strength of staff (Xerox copy).

Ex. W-2|30-1-90 : Letter from the Manager (P & I.R), F.C.I., Head Quarters, New Delhi, Madras regarding regularisation of part-time/daily rated sweepers/scavengers/watchman etc. (Xerox copy).

Ex. W-3|5-3-91 : Conciliation failure report (copy).

Ex W-4|30-9-86 : Appointment order issued to Thiru K. V. Sadhanandam, for the post of Lift Operator (Xerox copy).

Ex-W-5 : Statement showing Sanctioned strength and Staff-in-position as on 30-6-89 (Xerox copy).

Ex. W-6|13-2-90 : Dispute raised by the Petitioner-Union before the Regional Labour Commissioner (Central) Madras-6 enclosing list of casual/part time workers (Xerox copy).

Ex. W-7|10-3-90 : Reply filed by Respondent-Management before the Regional Labour Commissioner (Central), Madras-6.

Ex. W-8|30-5-90 : Rejoinder filed by the Petitioner-Union before the Regional Labour Commissioner (Central), Madras-6.

Ex. W-9|4-4-90 : Letter from Zonal Manager, F.C.I., Madras to the Personnel Manager, F.C.I., Head quarters, New Delhi. (Xerox copy)

For Management : Nil

नई दिल्ली, 1 फरवरी, 1994

क्र.प्र. 610:--औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार सेंट्रल कोल फील्ड्स लि. के प्रबन्धन से संबंधित विवादों और उनके कामकाजों के बीच अनुबंध में निविष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण भवनेश्वर के पंचवट का प्रकाशित करता है जो केन्द्रीय सरकार को 31-1-94 प्राप्त हुआ था।

[संख्या एन-19012/23/85-डी-4 (बी)]

राजा लाल, डेस्क अधिकारी

New Delhi, the 1st February, 1994

S.O. 610.—In pursuance of Section 17 of the Tribunal Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal Bhubaneswar as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Central Coalfields Ltd., and their workmen, which was received by the Central Government on 31-1-94.

[No. L-19012/22/85-D-IV-(B)]

RAJA LAL, Desk Officer

BHUBANESWAR

INDUSTRIAL TRIBUNAL : ORISSA :

PRESENT :

Sri R. K. Dash, I.I.B.,
Presiding Officer,
Industrial Tribunal,
Orissa, Bhubaneswar.

INDUSTRIAL DISPUTE CASE NO. 18 OF 1992 (CENTRAL

Dated, Bhubaneswar, the 10th January, 1994.

BETWEEN :

The management of Central Coalfields Ltd.,

P.O. Dera Colliery, Talcher, Dist : Dhenkanal.

.. First party—management

(AND)

Their workman Sri Niranjan Lenka

represented through Talcher Coalmine,

Employers' Union (AITUC), P.O. South Balane,

Dist : Dhenkanal.

.. Second party—workman.

APPEARANCES :

Dr. S.C. Panda, Personnel Manager—For the first party—management .

Sri N. Lenka.

—The workman himself.

AWARD

The Government of India in the Ministry of Labour in exercise of powers conferred upon it by clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947) have referred the following dispute for adjudication by this Tribunal vide their Order No. L-19012/22/85-D-IV(B) dated 3-4-92:—

"Whether the action of the management of Central Coalfields Ltd., in not giving light duty as also wages to Shri Niranjan Lenka, Dumper Operator, Grade-I with effect from 8-11-83 to 14-3-85 was legal and justified? If not, to what relief the concerned workman is entitled to?"

2. In this proceeding the dispute between the parties, namely, Niranjan Lenka, the workman in one hand and Mahanadi Coalfields Ltd., the successor of Central Coalfields Ltd., on the other, is that whether the management's refusal in giving light duty and also wages to the workman, a Dumper Operator, Grade-I with effect from 8-11-83 to 14-3-85 is legal and justified. The self-same issue came up for consideration before the Hon'ble High Court in O.J.C. No. 3259 of 1987. Their Lordships while allowing the writ directed the management to employ the workman as a light Motor Vehicle Driver during the period of his service on making payment of his emoluments as Dumper Operator. This benefits has been ordered to be available to him from the date it was denied.

3. The workman who was present in the Court on the last occasion being submitted that in obedience to the Hon'ble Court's direction the management has given him appointment and paid him all back wages. When the dispute between the parties has been adjudicated by the Hon'ble High Court, there remains nothing for this Tribunal to decide. In this view of the matter, there having no

further dispute existing between the parties, I have no other alternative but to pass a no dispute Award in so far as the present reference is concerned.

Dictated & corrected by me.

R. K. DESK, Presiding Officer

नई दिल्ली 1 फरवरी, 1994

का.प्र. 611 :—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) का धारा 17 के अनुसरण में केन्द्रीय सरकार उस भाग में के प्रबन्धन से सम्बन्धित नियोजकों और उनके कर्मचारियों के बीच भर्त्सना में निविष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक प्रतिक्रिया हेतु बाद के पंचवट को प्रकाशित करती है जो केन्द्रीय सरकार को 31-1-94 प्राप्त हुआ था।

[संख्या प्र. 22012/175/89-आई प्रार. (क-II)]

राजा लाल, डेस्क अधिकारी

New Delhi, the 1st February, 1994

S.O. 611.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal Hyderabad as shown in the Annexure, in the Industrial dispute between the employers in relation to the management of S.C.C. Ltd. and their workmen, which was received by the Central Government on 31-1-94.

[No. L-22012/175/89 IRC-II]

RAJA LAL, Desk Officer

ANNEXURE

BEFORE THE INDUSTRIAL TRIBUNAL AT HYDERABAD

PRESENT :

Sri Y. Venkatachalam, M.A., B.L., Industrial Tribunal-I.

Dated the 17th day of January, 1994

INDUSTRIAL DISPUTE NO. 88 OF 1989

BETWEEN :

The Workmen of S.C. Company Limited Ramakrishnapur, Adilabad Dist., .. Petitioner

And

The Management of S.C. Co. Ltd., Ramakrishnapur, Adilabad Dist., .. Respondent

APPEARANCES :

Sri R. N. Reddy, Advocate for the Petitioner.

M/s. K. Srinivasa Murthy and G. Sudha, Advocates for the Respondent.

AWARD

The Government of India, Ministry of Labour, by its Order No. L-22012(175)/89-IR(C.II), dt. 30-11-1989 referred the following dispute under Section 10(1)(d)(2A) of the Industrial Disputes Act, 1947 between the Management of M/s. Singareni Collieries Company Limited, Ramakrishnapur and their Workmen to this Tribunal for adjudication :

"Whether the action of the Management of M/s. S. C. Ltd., Ramakrishnapur Division in not promoting S/Sri K. Rajeshwara Rao and 9 other Shortfirers from the date of authorisation as in the case of S/Sri T. Krishnaswamy, D. Sydaiah, H. Satyanaravanaswamy and C. H. Rayamallu who were Juniors is justified ? If not, to what relief the workmen are entitled ?

List of Workmen :

1. K. Rajeshwar Rao
2. Bolli Rajalah
3. Gandam Adi Reddy

4. Lal Mohammad
5. Ramanand Singh
6. H. Butchaiah
7. R. Mogilaiah
8. K. Raya Narsiah
9. Ch. Jagannathan Rao
10. O. Kanakaiah."

This reference was registered as Industrial Dispute No. 88 of 1989 and notice were given to both the parties.

2. The brief facts of the claim statement filed by the Petitioner-workmen read as follows :

The details of the workmen in the dispute are given in Annexure I. The workmen had initially joined in the lower categories and were working in the Mines of the Respondent. They appeared for the examinations conducted by the Board of Mining Examination, Dhanbad and they have passed the Shot Firer or Mining Sirdar Examination on the dates mentioned in the column No. 4 of the Annexure I. The Management of the Respondent have authorised them to work as Shot Firer Mining Sirdar from the dates mentioned in the Column No. 5 of the Annexure I and they continuous worked in the said post. Later the management promoted them to the respective posts from the dates mentioned in the column No. 6 of the Annexure I. The Respondent entered into settlement with the Unions under Sec. 12(3) of the I.D. Act on 28-9-1978 and as per the Clause No. 11(d) of the Settlement the workmen in the dispute are entitled to reckon their service from the date of continuous acting i.e. from the date of authorisation for the purpose of increments. It is also submitted that the Management issued instructions to all the Mines to implement the said Clause of the said Settlement vide reference dt. 28th September, 1978. But to the misfortune of the workmen in dispute the respondent did not implement the said Clause of Settlement dated 28-9-1978 of the instructions issued by the Head Office vide reference dt. 28-9-78. It is submitted that T. Krishna Swamy and three others who have passed the Shot Firer Mining Sirdar Examination in the year 1977 i.e. later to the workmen in this dispute were given promotion and authorisation at time vide reference number and dates mentioned in the column No. 5 of the Annexure 2. It is submitted that by virtue of this promotion and authorisation on one date. Sri Krishna Swamy and others were given two special increments in 1978 as per the settlement and circular. It is submitted that all the workmen are working as Shot Firer Mining Sirdar continuously from the date of their authorisation and they were paid the wages of the Shot Firer Mining Sirdar for the said period of acting. Therefore, they are entitled for their promotion from the date of acting as it was done in the cases of Sri Krishna Swamy and others. It is submitted that in a recent settlement dt. 22-3-1990 with the Mining Technical Staff Association the management of Singareni Collieries Company Limited agreed as per Clause No. 4.4 that the date of passing of the Shot Firer Mining Sirdar should be the base for the promotion. Therefore, it is submitted that the management has done injustice to the workmen in this dispute as they are entitled for promotion from the date of passing of the examination of Shot Firer Mining Sirdar. Therefore, it is prayed that this Hon'ble Court be pleased to declare that Sri K. Rajeshwar Rao and nine others workmen in this dispute are entitled for their promotion as Shot Firer Mining Sirdar right from the date of authorisation and direct the respondent Management to promote them accordingly and pay increments and allow other benefits.

3. The brief facts of the counter filed by the Respondent-Management read as follows :

With reference to para 2 the details as given in the annexure with regard to service particulars are not correct and the petitioner is put to strict proof of the same. S. No. 10 showing date of promotion of Sri O. Kanakaiah as 1-1-1979 is not correct. Sri O. Kanakaiah was promoted on 1-9-1978. It is true in the Respondent the initial appointment is badli worker for every workman who comes under Category 1. The lower category workmen who assist the various other skilled workers in the course of experience they acquire certain skills, they undergo certain training and sit for trade tests and mining examinations and basing upon available vacancies they are promoted. Thus, they come from lower categories to higher categories. It may be noticed in those statutory posts, without passing the statutory examination they are not entitled to perform the works. Till they get promotion those workmen who have obtained statutory certificates will be permitted to act in posts of statutory posts in leave and absenteeism vacancies and they are paid acting allowances. It may be noticed and when permanent post Shotfirer or Mining Sirdar is not attending only on those days the workmen dispute were working and not other days and they were paid Acting Allowance for their action in a higher post. The petitioners represented by their Union viz., the Singareni Collieries Workers Union, hereinafter stated as "S.C.W. Union", have entered into a Memorandum of Settlement dated 28-9-1978 under Section 12(3) of the I.D. Act. The terms of the Settlement under Para 11 in toto made applicable to the petitioners and they have misconstrued para 11. So far as the petitioners are concerned para 11(b) is not applicable and it was agreed that the Overmen, Mining Sirdar and Shothers appointed between 1-1-1978 and 15-8-1978 will be given one extra increment. The practice in the company for promotions is based on the availability of vacancies and also the continuity of acting but the respondents are not bound to give promotion to the petitioners though there is no vacancy and though they have not acted. They are not falling under para 11(b). The procedure for the promotion followed in the case of petitioners Sri P. Janardhan and 12 others was correct according to the procedure, as also conform to the principles of incorporated into the Memorandum of settlement. The petitioners were all working as General Mazdoors/Linemen/Tramming Munshi etc. prior to their absorption as Mining Staff such as Shotfirer/Mining Sirdar/Overmen. As already stated above the promotions in respect of persons whose names are mentioned in Annexure II, were erroneously given from the date of passing/authorisation. The allegation that the Respondent Company discriminated the workmen in the dispute with their juniors and caused discontentment in the workmen and forced them to approach the Union is totally false. S/Sri T. Krishna Swamy and others cases are not applicable to Union's case or to the workmen whose case they have espoused. What the workmen in dispute are seeking is promotion as on the date it was given to others. Sri K. Rajeshwar Rao and other workmen are not entitled for promotion from the date of their authorisation. No right accrues to an employee for promotion from the date of acting, nor management entered into settlement agreeing to give promotion from the date of acting. In view of the above mentioned facts this Hon'ble Tribunal may be pleased to dismiss the claim petition.

4. The point for adjudication is whether the action of the Respondent in not promoting S/Shri K. Rajeshwara Rao and 9 others shotfirers from the date of authorisation as in the case of S/Sri T. Krishnaswamy, D. Sundiah, H. Satyanarayanawamy and C. H. Rayamallu who were juniors is justified or not?

5. W.W1 to W.W3 were examined on behalf of Petitioner-Workmen and marked Exs. W1 to W60. On the other hand M.W1 was examined on behalf of the Respondent and marked Exs. M1 to M3.

6. W.W1 is one Bolli Rajaiah. He deposed in brief that he is the second workman in the list appended to the reference among the 10 workmen involved in this I.D. He passed Shotfirer examination on 24-4-1976. Ex.W1 is the photostat copy of his pass certificate of Shot Firer examination. The other 9 workmen involved in this I.D. at S. No. 1 and 3 to 10 also passed Shot firer Sirdar examination before 1977 and the copies are Exs. W2 to W10. They all the 10 workmen were promoted to the post of Shotfirer/Sirdar with effect from 1-1-1978 under separate orders dated 1-1-1978 and the photostat copies of the said 10 orders under which were promoted Exs. W11 to W20. All of them have been discharging the duties of shotfirer/Sirdar from the respective dates of their passing the Shotfirer/Sirdar examination. Even prior to 1-1-1978 on which date the orders of promotion were issued to them, the management issued authorisation in writing to all of them to work as Shot-firers/Sirdar soon after they passed the Shotfirer/Sirdar examinations. Exs. W21 to W23 are the photostat copies of three of authorisations issued three of them viz., myself, Ch. Jaganmohan Rao (S. No. 9 in the reference) and Sri Vadnala Kanakaiah (S. No. 10 in the reference) respectively. After they were promoted to Shotfirer/Sirdar as per the orders in Exs.W11 to W20 the Management took back the authorisation issued to them. Himself and two others retained the photostat copies with them before handing over the originals to the Management and he filed those three photostat copies in Exs.W21 to W23 in this case. After passing the shotfirer/Sirdar examination. Kandikaila Rajeshwar Rao and Gandham Adhi Reddy, workmen at S.Nos. 1 & 3 in the reference respectively were transferred to Ramakrishnapur Division from Bellampalli Division by the Order dt. 7-10-1976 and the photostat copy of the said order in Ex.W24. On 28-9-1978 there was a settlement entered into between the four major unions and the management under Sec. 12(3) of the I.D. Act. The photostat copy of the said settlement is Ex.W.25. As per Clause 11(d) of Ex.W25 settlement, "other categories of workers who are continuously acting without any interruption as shotfirer/Sirdar or Overmen as the case may be for over a year will be confirmed reckoning their service from the date of such continuous acting for the purpose of increments." As per this Clause, they are entitled for increments in the post of Shotfirer/Sirdar from the dates on which they were asked to work as Shotfirer/Sirdar by the Management soon after they passed the shotfirer/Sirdar examination. The Management did not give them the increments from the dates on which they were asked to work as shotfirer/Sirdar soon after they passed the Shotfirer/Sirdar examination nor did the management confirm their services as Shotfirer/Sirdar after one year from the date they worked as shotfirer/Sirdar soon after they passed the shotfirer/Sirdar examination as per the written authorisation like Exs.W21 to W23 issued by the Management. Two workmen namely D. Sadiya who is working as Overman in S.R.P.2 incline and Sri H. Satyanarayana Swamy who is working as Overman in S.R.P.1 Incline, were confirmed in the post of shotfirer/reckoning their service from 17-8-1977 and 22-1-1978 respectively on which dates they were authorised to work as Shotfirer by the management. The said two workmen also passed their shot firer examination the above dates. They were given increments reckoning their service from those dates. The said two workmen were promoted to the post of shotfirer on the date on which they have passed the shotfirer examination and their increments were given to them reckoning their service from the date of their appointment. The case of S/Sri T. Krishna Swamy and Ch. Rajamallu was referred to this Court for adjudication of the dispute between the management and the workmen on similar grounds on which this reference was made to this Court and their case was registered as I.D. No. 109 of 1984. In that I.D. this Court passed an Award dt. 17-8-1990 directing the management to give them increment reckoning their service from the date of their acting as shot firer/sirdar on the authorisation issued by the management of the Respondent. After the Settlement in Ex. W26 also, their cases were not considered by the management. They pray the Court to pass an award declaring that they were entitled for promotion as shot firer/sirdar right from the date of authorisation and direct the management to promote them accordingly and pay increments and all other benefits.

7. W.W2 is Gunman Adi Reddy. He deposed in brief that he has been working as Mining Sirdar in R.K.4 Incline

(Ramakrishnapuram 4) since 1986. He passed Shot Firer Examination on 19-2-1976. He was working as Shot Firer since 8-4-1976 under authorisation, and he was promoted as Shot Firer w.e.f. 1-1-78. He passed Mining Sirdar Examination on 20-1-1986. He submitted an application to the Manager to promote him as Shot firer from the date of authorisation on 6-1-1978. He was given the authorisation by the management to work as Mining Sirdar on 2-3-1986. 3 months thereafter he was given promotion as Mining Sirdar w.e.f. 2-3-1986 i.e. from the date of authorisation. B. Rajaiah was given promotion on 23-1-1981 w.e.f. 1-1-1981. The said B. Rajaiah was given the promotion w.e.f. 2-3-1980 by the office order dt. 17-5-1991 in response to the representation made by him in Ex. W40. They pray to direct the Respondent to give increments to them from the respective dates on which the authorisation were given to them as per Clause 11-D in Ex. W25 agreement.

8. W.W3 is K. Rajeshwar Rao. In brief he deposed that he is the concerned workman first in the list of the schedule in the reference. He has been working as Mining Sirdar in R.K. 3 Incline is Ramakrishnapur since 1981. He passed Shot firer examination on 21-4-1976 and he was given authorisation to work as shot firer on 10-10-1976. Ex. W42 is the authorisation letter dt. 16-3-1992 authorising him to work as shot firer w.e.f. 10-10-1976. He was given promotion as shot firer under the order dt. 1-1-1978 and the said order is Ex. W43. Ex. W44 to W47 are the four authorisation letters issued to O. Kanakiah, Ruman Singh, Lal Mohammad and Bolli Rajaiah who were also involved in this I.D. to work as Shot Firer from the dates mentioned in Exs. W44 to W47. The witness corroborated the same evidence as was deposed by W.W1 and W.W2.

9. M.W1 is M. Sibba Rao. In brief he deposed that he is working as Personnel Manager in the Respondent at Ramakrishnapur area and he is working for the past 30 years. He knows the case of Sri O. Kanakiah, the petitioner herein. He was appointed in the Company on 30-10-1975. The nature of jobs performed by the General Mazdoor is Category I are loading and unloading of materials, spraying, cleaning, gardening while washing and such other unskilled jobs. Any person who is not having statutory certificate is not competent to work in statutory post. The persons who are qualified and completed and have been authorized under Coal Mines Regulation Act, will act during leave, sick and absenteeism whenever required in the post of Overmen, Mining Sardars and Shotfirers. The persons who are working in the Company and have undergone the required training will appear for the statutory examination. The Management has entered into a settlement on 28-9-1978 and the xerox copy of the said settlement is Ex. M1. The management has entered into another settlement dt. 22-3-1990. Clause 11(b) & (d) of Ex. M1 pertains to eligibility for increments. Any person acting cannot get promotion just because he worked in absenteeism vacancies. Sri Janardhan and others were promoted like others basing on the seniority, suitability and depending upon the vacancies available at that time. Sri K. Rajeshwar Rao and 9 others are not entitled for promotion as Mining Sardar and Shot Firers from the date of acting/authorisation.

10. In this case, the contention of the Petitioner-workmen that all the concerned ten workmen passed their Shot firer examination through Exs. W1 to W10 and were authorised to work as Shot Firers through Ex. W21 to W23, W42 and W44 to W47 and they were promoted as Shot Firers through Exs. W11 to W20 and W43, W48 to W55 w.e.f. 1978-79 but not from the date of authorisation just as in the case of T. Krishnaswamy and others in terms of Clause 11(d) of Ex. W25 settlement. All these allegations were denied by the Respondent-Management.

11. It is seen from the records that W.W1 clearly stated in his chief examination at page 2 that Sri D. Saidiah and Sri H. Satyanarayan Swamy were given promotion as Shot Firer from the date of authorisation w.e.f. 17-8-1977 and 22-1-1978 respectively, and the same is not denied by the Respondent. Hence the concerned workmen are clearly discriminated from others. At page 3 of the deposition of W.W1 in his chief examination mentioned that the services of Sri T. Krishna Swamy and Sri Ch. Rayamallu was also

reckoned from the date of authorisation for the purpose of granting increments as per the Award dt. 17-8-1990 of this Tribunal in I.D. No. 109/84. This is also not denied by the Respondent. As seen from Clause No. 11(d) of Ex. W25 and Ex. M1 settlement that the concerned workman are entitled for the confirmation reckoning their acting service. The Award Clause read as follows :

"Other categories of worker who are, continuously acting without any interruption as Shot Firer/Sirdar or Overman as the case may be for over a year will be confirmed reckoning their service from the date of such continuation acting for the purpose of increments."

I find that the Respondent failed to implement their own settlement in respect of the concerned workmen in his industrial dispute. Therefore it is just and proper to promote the concerned workmen from the dates of their authorisation. As seen from the yet another later Settlement i.e. Exs. 26 and M2 wherein the Respondent agreed in Clause 4.4 to consider the date of passing of the competence certificate for Shot Firer etc. for the promotion to the respective posts, but the Management failed to implement this Clause also in respect of them. It is pertinent to mention that in the case of W.W1 and W.W3 the Management promoted them as Mining Sirdars (next higher post to Shot firer) from the dates of authorisation, whereas the Management failed to do in the lower post of Shot Firer. On the other hand the Management tried to resist the claim by saying that the concerned workmen only acted in the absenteeism and leave vacancies but they failed to file any acting particulars to support this statement but subsequently accepted by M.W1 in his cross examination. The claim of the petitioner was resisted by the Management by M.W1 in his chief examination stated that Sri Janardhan & others were promoted as per the seniority etc. The petitioner workmen contended that it is irrelevant and baseless. The petitioner contended that the petitioner never compared their case with that of Sri Janardhan and others, the details of whom are not stated by M.W1 clearly accepted in his cross examination that he is not aware of the dates of their promotion and he has not filed any documents or promotion proceedings in support of his contention. Lastly the evidence adduced by the Respondent witnesses cannot be given any weight since he is working as Personnel Manager in Ramakrishnapur Area for the last one year and he worked previously worked in Super Bazar which goes to show that he had no knowledge about the authorisation and acting etc., of the concerned workmen. From the above I am of the firm opinion that the Respondent Management is directed to promote all the ten concerned workmen as Shot Firers from the dates of authorisations and grant increments in terms of Clause No. 11(d) of the Ex. W25 Settlement on par with Sri T. Krishnaswamy and three others.

12. In the result, the action of the Management of M/s. Singareni Collieries Company Limited, Ramakrishnapur Division in not promoting S/Sri K. Rajeshwar Rao and 9 other Shotfirers from the date of authorisation as in the case of S/Sri T. Krishnaswamy, D. Sydaiah, H. Satyanarayan Swamy and Ch. Rayamallu who were juniors is not justified. Sri K. Rajeshwar Rao and nine others in this dispute are entitled for their promotion as Shot-Firer/Mining Sirdar right from the date of authorisation and they are liable for increments and all other benefits.

Award passed accordingly.

Typed to my dictation, given under my hand and the seal of this Tribunal, this the 17th day of January, 1994.

Y. VENKATACHALAM, Industrial Tribunal-I

Appendix of Evidence

Witnesses Examined on behalf of the Petitioner-Workman : Witnesses Examined on behalf of the Respondent-Management

W.W1—Bolli Rajaiah

M.W1 M. Subba Rao

W.W2—Gannam Adi Reddy

W.W3—K. Rajeshwar Rao

Documents marked for the Petitioner-Workman :

Ex. W1 18-1-77—Photostat copy of the Shot Firers Certificate of Sri Bolli Rajaiah.

- Ex. W2 18-1-77—Photostat copy of the Shot Firers Certificate of Sri Kandikatta Rajeshwara Rao.
- Ex. W3 17-1-77—Photostat copy of the Shot Firers' Certificate of Sri Gaddam Adi Reddy.
- Ex. W4 10-3-77—Photostat of the Sirdar's Certificate of Sri Lal Mohammad.
- Ex. W5 10-3-77—Photostat copy of the Sirdar's Certificate of Sri Ramanand Singh.
- Ex. W6 21-5-77—Photostat copy of the Shot Firer's Certificate of Sri Hanumaria Buchaiah.
- Ex. W7 17-1-77—Photostat copy of the Shot Firer's Certificate of Sri Rapalli Mogilaiah.
- Ex. W8 31-12-75—Photostat copy of the Shot Firer's Certificate of Sri Kalboina Rajnarasaiah.
- Ex. W-9 19-1-77—Photostat copy of Shot Firer's Certificate of Sri Ch. Jagan Mohan Rao.
- Ex. W-10 31-5-78—Photostat copy of Shot Firer's Certificate of Sri O. Kanakaiah.
- Ex. W-11/1/3-1-78—Photostat copy of the Order issued by the Addl. General Manager, Bellampalli Area, S.C. Co. Ltd., with regard to promotion of Sri Kamakalia Rajeshwara Rao as Shot Firer 'D' Grade.
- Ex. W-12/1/3-1-78—Photostat copy of the Order issued by the Addl. General Manager, Bellampalli Area with regard to promotion of Sri P. Raina Murty and Bolli Rajaiah as Shot Firer 'D' Grade.
- Ex. W-13/1/3-1-78—Photostat copy of the Order issued by the Addl. General Manager, Bellampalli Area with regard to promotion of Sri Gandam Adi Reddy as Shot Firer 'D' Grade.
- Ex. W-14/1/3-1-78—Photostat copy of the Order issued by the Addl. General Manager, Bellampalli Area with regard to promotion of Sri Lal Mohammad as Shot Firer 'C' Grade.
- Ex. W-15/1/3-1-78—Photostat copy of the Order issued by the Addl. General Manager, Bellampalli Area with regard to promotion of Sri Ramanand Singh as Shot Firer 'C' Grade.
- Ex. W-16/1/3-1-78—Photostat copy of the Order issued by the Addl. General Manager, Bellampalli Area with regard to promotion of Sri H. Buchaiah as Shot Firer 'D' Grade.
- Ex. W-17/1/3-1-78—Photostat copy of the Order issued by the Addl. General Manager, Bellampalli Area with regard to promotion of Sri Rampalli Mogilaiah as Shot Firer 'D' Grade.
- Ex. W-18/1/3-1-78—Photostat copy of the Order issued by the Addl. General Manager, Bellampalli with regard to promotion of Sri Kalaboina Rajanarasaiah as Shot Firer 'D' Grade.
- Ex. W-19/1/3-1-78—Photostat copy of the Order issued by the Addl. General Manager, Bellampalli with regard to promotion of Sri Ch. Jagan Mohan Rao as Shot Firer 'D' Grade.
- Ex. W-20/4/7-9-78—Photostat copy of the Order issued by the Addl. General Manager, M.M. and RKP with regard to promotion of Sri Odanala Kanakaiah as Shot Firer 'D' Grade.
- Ex. W-21/19-10-76—Photostat copy of the Authorisation letter issued by the Colliery Manager to Sri Bolli Rajaiah.
- Ex. W-22/10-6-76—Photostat copy of the authorisation letter issued by the Colliery Manager to Sri Ch. Jagan Mohan Rao.
- Ex. W-23/18-12-77—Photostat copy of the authorisation letter issued by the Colliery Manager to Sri Odanala Kanakaiah.
- Ex. W-24/7-10-76—Photostat copy of the Transfer Orders issued by the Colliery Manager, Somagundam No. 3 Incline, DD II, with regard to Mohd. Haneef, Kandikatta Rajeswara Rao, Gandam Adireddy and Rasakatla Ellaiah.
- Ex. W-25/28-9-78—Photostat copy of the Memorandum of Settlement arrived between the workmen and the Management of S.C. Co. Ltd., before Regional Labour Commissioner (C), Hyderabad.
- Ex. W-26/22-3-90—Photostat copy of the Memorandum of Settlement arrived between the workmen and the Management of S.C. Co. Ltd. Kothagudem before Asst. Labour Commissioner (C), Mancherial.
- Ex. W-27/6-1-78—Photostat copy of the letter submitted by G. Adi Reddy to the Addl. General Manager, Bellampalli Area.
- Ex. W-28/8-1-7—Photostat copy of the letter submitted by B. Rajaiah to the Addl. General Manager, Bellampalli Area.
- Ex. W-29/6-1-78—Photostat copy of the letter submitted by K. Rajeswara Rao to the Addl. General Manager, Bellampalli Area.
- Ex. W-30/6-1-78—Photostat copy of the letter submitted by K. Raja Narasaiah to the Addl. General Manager Bellampalli Area.
- Ex. W-31/8-1-78—Photostat copy of the letter submitted by Ramanand Singh to the Addl. General Manager, Bellampalli Area.
- Ex. W-32/4-1-78—Photostat copy of the letter submitted by R. Mogilaiah to the Addl. General Manager, Bellampalli.
- Ex. W-33/8-1-78—Photostat copy of the letter submitted by Ch. Jagan Mohan Rao to the Addl. General Manager, Bellampalli.
- Ex. W-34/6-1-78—Photostat copy of the letter submitted by H. Buchaiah to the Addl. General Manager, Bellampalli.
- Ex. W-35/8-1-78—Photostat copy of the letter submitted by Lal Mohammed to the Addl. General Manager, Bellampalli.
- Ex. W-36/8-1-78—Photostat copy of the letter submitted by O. Kanakaiah to the Addl. General Manager, Bellampalli.
- Ex. W-37/14-3-80—Photostat copy of the Form of Appointment of Authorisation on competent persons.
- Ex. W-38/26-2-80—Photostat copy of the letter submitted by V.P. Port, Government of India, Ministry of Labour to Sri Ahuja General Manager, M/s. S.C. Co. Ltd., Bellampalli.
- Ex. W-39/23-1-81—Photostat copy of the office order issued by the Addl. General Manager, Mandamarri and Ramakrishnapur Area to Bolli Rajaiah with regard to promoted as Shot Firer 'C' Grade.
- Ex. W-40/1-11-89—Copy of the letter submitted by Bolli Rajaiah to the General Manager, Ramakrishnapur with regard to promotion.
- Ex. W-41/17-5-91—Copy of the Office Order issued by General Manager, RKP, M/s. S.C. Co. Ltd. with regard to Sri Bolli Rajaiah Shot Firer, Grade 'D' is hereby placed in Grade 'C' w.e.f. 2-3-80.
- Ex. W-42/16-3-92—Copy of the letter issued by the Colliery Manager, Ravindra Khani No. 3 Incline with regard to authorisation as Shot Firer.
- Ex. W-43/1/3-1-78—Promotion Order issued by the Addl. General Manager, Bellampalli Area to R. Rajeswara Rao, Coal Filler promoted as Shot Firer 'D' Grade.
- Ex. W-44—Form of Appointment of competent person issued to Sri Oddanala Kanakaiah.
- Ex. W-45—Form of Appointment of competent persons issued to Sri Ramanand Singh.
- Ex. W-46—Form of appointment of competent persons issued to Sri Lal Mohd.
- Ex. W-47/9-5-92—Letter of authorisation given by Colliery Manager, Ravindrakhani 1 to Sri Bolli Rajaiah. Mining Sirdar. R.K. 3.
- Ex. W-48/1/3-1-78—Promotion order issued by the Addl. General Manager, Bellampalli Area to Sri Lal Mohammad promoted as Shot Firer 'D' Grade.

Ex. W-49/1/3-1-78—Promotion order issued by the Addl. General Manager, Bellampalli Area to P. Ratna Murty promoted as Shot Firer 'D' Grade.

Ex. W-50/4/7-9-78—Copy of the Order issued by the Addl. General Manager MM and RKP to O. Kanaikaiah with regard to promoted as Shot Firer 'D' Grade.

Ex. W-51/1/3-1-78—Promotion Order issued by the Addl. General Manager, Bellampalli Area to G. Adi Reddy with regard to promoted as Shot Firer 'D' Grade.

Ex. W-52/1/3-1-78—Promotion Order issued by the Addl. General Manager, Bellampalli Area to Ch. Jagan Mohan Rao, General Mazdoor promoted as Shot Firer 'D' Grade.

Ex. W-53/1/3-1-78—Promotion Order issued by the Addl. General Manager Bellampalli Area to R. Mogilaiah, Coal Filler promoted as Shot Firer 'D' Grade.

Ex. W-54/1/3-1-78—Promotion Order issued by the Addl. General Manager, Bellampalli Area to H. Buchaiah General Mazdoor promoted as a Shot Firer 'D' Grade.

Ex. W-55/1-1-1978—Promotion Order issued to Sri Kalaboina Rajanarsaiah.

Ex. W-56/8-2-90—Letter of authorisation given by K. Rajeswara Rao and others to Sri Bolli Rajaiah, Secretary, S.C.M.K. Sangh Ramakrishnapur with regard to give evidence in I. D. No. 88/89 before Industrial Tribunal, Hyderabad.

Ex. W-57/6-6-92—Letter of authorisation given by K. Rajeswara Rao and others to K. Rajeswara Rao with regard to give evidence in I.D. No. 88/89 before Industrial Tribunal, Hyderabad.

Ex. W-58/1-4-81—Photostat copy of the Sardar Certificate of Kandikatla Rajeswara Rao issued by the Chairman of the Board of Mining Examination.

Ex. W-59/25-5-81—Form of Appointment or authorisation of competent persons issued by the Colliery Manager, RK-3 to Sri K. Rajeswara Rao.

Ex. W-60/5-4-82—Office Order keeping in probation of Sri K. Rajeswara Rao, Shot Firer 'C' Grade. Documents marked for the Management :

Ex. M-1/28-9-78—Settlement dated 28-9-1978.

Ex. M-2/2-3-90—Settlement dated 22-3-90.

Ex. M-3/24-3-93—Letter dated 24-3-93 enclosing the draft circular.

management of W.C. Ltd. and their workmen, which was received by the Central Government on 24-1-1994.

[No. L-22012/453/91-IRC.II]

RAJA LAL, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1 AT—BOMBAY

Present : Shri Justice R. G. Sindhakar

PRESIDING OFFICER

REFERENCE NO. CGIT-1/54 OF 1992

PARTIES

The Employers in relation to the New Majri Colliery of the Western Coalfields Limited.,

AND

Their Workmen.

Appearances :

For the Management : Shri G. S. Kapoor Advocate.

For the Workmen : Shri D. N. Chowbe Representative.

Industry : Coal Mines.

State : Maharashtra.

Bombay, dated the 11th day of January, 1994

AWARD

The Government of India, Ministry of Labour, New Delhi has made the following reference to this Tribunal by letter dated 18-06-1992, for adjudication under Section 10(1)(d), read with Section 2-A of the Industrial Disputes Act, 1947.

"Whether the dismissal of Shri S. B. Khamankar, Loader, New Majri Colliery, vide order dated 31st July, 1985, by the Management, New Majri Colliery, W.C. Ltd., Wari Area, Dist. Chandrapur, is legal and justified. If not, to what relief the workman is entitled to?"

2. Statement of claim has been filed by Shri Chowbe, General Secretary, Samyukta Khadhan Mazdoor Sang (SKMS) (AITUC) Majri Area. It has been stated therein that Shri Khamankar was working as a Casual Loader from 14-12-1983 at Nalgona, and later at Rajpur Colliery, and he also worked in Majri Colliery upto 1984. When he reported for work as usual on 21-09-1984, the Management refused to allot him any work. It is stated that it is a practice of the Management in respect of Casual Workers, that the Form No. 'C' is to be filled up with 'R', instead of this, the Management Marks 'A', which stands for absenteeism, on the muster roll, whereas in fact, he was sent back from his work place by the Management. It is further stated that he was later on served with a chargesheet alleging that he was absent from duty with effect from 21-09-1984. According to the statement of claim, Shri Khamankar reported for duty, when in fact it is the Management who refused.

3. It is further stated that no show cause notice was given to him after the charge sheet, nor was any suspension order passed. It is the case of the Union that this was done by the Management with ulterior motive. He replied to the chargesheet, and Enquiry was conducted by the Management without prior notice and intimation to the workmen. He was thus deprived of his right to defend himself, and, therefore, the enquiry is vitiated. On the basis of the findings of the Enquiry Officer, his services were terminated, though he prayed to the Management to take him back on duty. Thereafter, he waited for some time and approached the Assistant Labour Commissioner (Central) Chandrapur, and as a result of the failure of the conciliation proceedings, the present reference has been made by the Government of India.

नई दिल्ली, 24 जनवरी, 1994

का.सा. 612 :—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार इच्छु सीएल के प्रबन्धन से संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निहित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, बम्बई के पंचपट को प्रकाशित करती है जो केन्द्रीय सरकार को 24-1-94 को प्राप्त हुआ था।

[संख्या एल- 22012/453/91-आई एर (सी-II)]

राजा लाल, डेस्क अधिकारी

New Delhi, the 24th January, 1994

S.O. 612.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal Bombay as shown in the Annexure, in the industrial dispute between the employers in relation to the

4. On behalf of the Management, written statement has been filed, and it is stated therein that, he had a right of appeal which he did not exercise, and therefore, the present reference is not maintainable since there is no dispute. It is also contended that it is not an industrial dispute, and that he has made this grievance after a long time, making it a very overstale reference and therefore, it should be rejected on that count. It was then contended that he was engaged on 14-12-1983 to meet the requirement of additional work load, as a Casual Loader. He was not a regular or permanent workman. It was then stated that he remained absent from duty, and, therefore, enquiry was conducted though in reply to the charge-sheet he admitted the charges. The Enquiry Officer arrived at the finding after an ex-parte enquiry, on the material produced before him. In the circumstances, there was no ground for making the grievance that the enquiry was not fair and proper, and against the principles of natural justice. It is also contended that Shri Chowbe, who has signed and verified the statement of claim has no personal knowledge of the case. It was prayed on behalf of the Management, that in case the Tribunal come to the conclusion that the enquiry was not proper, the Management may be given an opportunity to lead evidence.

5. Rejoinder has been filed by the Workman Shri Khamankar, and in which, the averments in the written statement have been denied. He says that he was appointed on a regular job, that his services were terminated, that he was unable to attend the enquiry proceedings because of his illness, of which he had given information, even then, the enquiry continued.

6. The parties to the dispute have filed documents and advanced arguments.

7. On behalf of the Management it was submitted that the workman remained absent and therefore, he was given charge-sheet, in reply to which, he pleaded quality and requested pardon. Even then, an enquiry was held and he was called upon to appear before the Enquiry Officer. In spite of repeated notices to him, he did not appear, and therefore, an ex-parte enquiry was held and findings were recorded on the basis of the material placed before it. It is clearly seen from the papers of enquiry, that he was given 3 opportunities to appear and yet he did not appear. Thereafter, the evidence of the Management witnesses was recorded. The submission on behalf of the Management was that the departmental enquiry conducted against him was fair and proper and in accordance with the principles of natural justice, and it was a justified action.

8. As against this, argument of the workman's defence representative was that he was not served with a notice. The Management was asked to produce the original notice and Shri Khamankar denied his signature thereon. In the circumstances, I had to obtain specimen signatures of Shri Khamankar in the presence of Shri Chowbe, and Advocate Shri G. S. Kapoor in the open court, and I also showed to him, documents purporting to be bearing his signatures and he admitted some of them, but not all. He denied that the document dated 18-06-1982 (marked 'X') was bearing his signature. He further admitted his signature on form 'F' and denied his signature on document dated 06-01-1984, which was a xerox copy produced by Shri Chowbe. Another letter of authority given to Shri Chowbe by the workman dated 18-06-1984 was produced and the workman denied his signature on that document (marked 'Y'). Two more documents were produced by Shri Chowbe, they were xerox copies. Shri Khamankar admitted all the four signatures on those two documents dated 19-03-1991 and 28-09-1991 (marked A&B). On comparing the signatures admitted by him, and obtained in the open court, with the disputed signature, I find that they are the signatures of the workman Shri Khamankar. It is an authority given to Shri Chowbe, and produced by him, and I do not see how Shri Khamankar can dispute that document. Exhibit A&B are also bearing his signatures. They are communications addressed to the Management. He has himself addressed these communications to the Management, wherein he has complained about not understanding English (Exh. A). Another document (marked 'B') therein he has contended that he finds it diffi-

cult to reply to the communication addressed by the Management, because it was in English, in turn admitting that he was aware of the enquiry proceedings. It is evident that he was served with the notice of the enquiry proceedings, that he had admitted in his letter dated 16-12-1984 that he had remained absent on the ground of his own illness. The Management has produced reports about service of the enquiry proceedings on him and the Enquiry Officer has thereafter proceeded to hold the enquiry in his absence and ex-parte, and recorded the findings. He held him guilty of the charges of habitual absence alongwith habitual late attendance, and the penalty of dismissal came to be inflicted upon him as a result of the findings of the Enquiry Officer.

9. Another contention raised on behalf of the workman is that he was not given sufficient time to appear before the Enquiry Committee and the Enquiry proceeded, even when he was ill, and the same fact was intimated to the Management. As against this, the Management has produced documentary evidence to show that he was given opportunity. It is seen from the copies enclosed to the report of enquiry, that he was given notice to appear before the Enquiry Officer, and they waited for him and then proceeded. From the enquiry papers produced, it is seen that the notices were sent to him through the 'Dak Peon' and they were duly received by him.

10. The workman denied his signature on Annexure 'G' which is produced to show that he has been served with the notice. It is in this connection his signatures were obtained before me in the presence of the parties and their representatives, and on comparing his signatures with the disputed one, I find that the signature on Annexure 'G' is of the workman Shri Khamankar. It is found that the workman denied several signatures including the one purporting to be an authorisation in the name of Shri Chowbe, and that clearly goes to show the extent to which he can go.

11. I have come to the conclusion that, the workman was duly served with the notice of the enquiry proceedings and that he was given enough opportunities to defend himself, and thereafter the management has taken the action which is in the circumstances justified.

12. He is not entitled to any relief. The Award is accordingly made, and the reference disposed off.

R. G. SINDHAKAR, Presiding Officer

नई दिल्ली, 24 जनवरी, 1994

का.प्र. 613:—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसूचन में एन सी सी एल के प्रवक्ताओं के संबंध में उक्त कर्मचारियों के बीच अनुसूचन में निविष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, हैदराबाद के पंचपट को प्रकाशित करता है जो केन्द्रीय सरकार को 18-1-94 को प्राप्त हुआ था।

[संख्या एल-22012/60/93-आई आर (नो-II)]

राजा लाल, डेस्क अधिकारी

New Delhi, the 24th January, 1994

S.O. 613.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal Hyderabad as shown in the Annexure, in the industrial dispute between the employers in relation to the management of S.C.C. Ltd., and their workmen, which was received by the Central Government on 18-1-94.

[No. L-22012/60/93-IR.C.II]

RAJA LAL, Desk Officer

ANNEXURE

BEFORE THE INDUSTRIAL TRIBUNAL IN
HYDERABAD

Present :

Sri Y. Venkatachalam, M.A., B.L., Industrial Tribunal-I.

Dated : 7th day of January, 1994

INDUSTRIAL DISPUTE NO. 19 OF 1993

BETWEEN

Md. Masuque, R/o Qtr. No. 22, Teachers Quarter,
Ramakrishnapur, Adilabad District. .. Petitioner.

AND

The General Manager, Singareni Collieries Company
Limited, Ramakrishnapur, Adilabad District.

.. Respondent.

Appearances :

M/s. G. Bikshapathi, G. Vidyasagar, N. Vinesh Raj and
G. Ravi Mohan, Advocates for the Petitioner.M/s. K. Srinivasa Murthy & G. Sudha, Advocates for
the Respondent.

AWARD

The Government of India, Ministry of Labour, by its Order No. L-22012/60/93-IR(C.II) dt. 29-4-1993 referred the following dispute under Section 10(1)(d) (2A) of the Industrial Disputes Act, 1947 between the employers in relation to the Management of M/s. Singareni Collieries Company Limited, and their workmen to this Tribunal for adjudication.

"Whether the management's action in dismissing the service of Sri Md. Masuque, Ex-General Mazdoor Area Work Shop, S.C.C. Ltd., Ramakrishnapur, is justified and legal? If not, to what relief the workman is entitled to?"

This reference was registered as Industrial Dispute No. 19 of 1993 and notices were served on both the parties.

2. On 30-11-1993 the Petitioner filed a Memo stating that after the dispute was referred to this Hon'ble Tribunal, the Management has offered him re-employment subject to withdrawal of the dispute pending before this Hon'ble Court. In view of the above circumstances, the Petitioner intends not to prosecute the dispute further and the reference may be closed accordingly.

3. At the very outset, I find that the Management has offered the Petitioner re-employment subject to the withdrawal of the dispute pending before this Tribunal, the reference in this dispute is closed as not pressed.

4. In the result, the reference is closed as not pressed.

Typed to my dictation, given under my hand and the seal of this Tribunal, this the 7th day of January, 1994.

Y. VENKATACHALAM, Industrial Tribunal-I

Appendix of Evidence

NIL

नई दिल्ली, 24 जनवरी, 1994

का.प्र. 614:—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार फूड कारपोरेशन आफ इंडिया के प्रबन्धन में संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निहित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नई दिल्ली के पंचपट को प्रकाशित करती है जो केन्द्रीय सरकार को 24-1-94 प्राप्त हुआ था।

[संख्या एल-22012/80/एफ/93- आई प्रार (सी-II)]

राजा लाल डेस्क अधिकारी

New Delhi, the 24th January, 1994

S.O. 614.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, New Delhi as shown in the Annexure, in the industrial dispute between the employers in relation to the management of F.C.I. and their workmen, which was received by the Central Government on 24-1-94.

[No. L-22012/80/F/93-IR (C.II)]

RAJA LAL, Desk Officer

ANNEXURE

BEFORE SHRI GANPATI SHARMA : PRESIDING
OFFICER : CENTRAL GOVT. INDUSTRIAL TRIBUNAL
NEW DELHI

I. D. No. 46/93

In the matter of dispute between :

Shri Bhushan Lal, through The General Secretary, Food
Corporation of India Employees Union, B-2/112,
Puschim Vihar, New Delhi-110063.

Versus

The Zonal Manager, (N), Food Corporation of India,
Ansal Bhawan, 16, Kasturba Gandhi Marg, New
Delhi-110001.

APPEARANCES :

Shri Vanjani Narayan for the workman.

Shri A. K. Raina for the Management.

AWARD

The Central Government in the Ministry of Labour vide its Order No. L-22012/80/F/93-IR(C.II) dated 7-6-93 has referred the following industrial dispute to this Tribunal for adjudication :

"Whether the Zonal Manager (North), Food Corporation of India is justified in not considering promotion of Shri Bhushan Lal A.G-I(M) as per seniority list circulated vide 5(37)/83-E-III Vol. IV dated 10-10-90? If not, to what relief the concerned workman is entitled to?"

2. The case was fixed for filing written statement when the parties settled the dispute. The statement Ex. M-1 was filed and the statements of the parties were recorded. The dispute, therefore, stand settled. Party shall also bound by the terms of the settlement Ex. M-1 and shall bear their own costs.

GANPATI SHARMA, Presiding Officer

2nd December, 1993.

नई दिल्ली, 24 जनवरी, 1994

का.प्र. 615:—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में इस सी सी एल के प्रबन्धन में संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निहित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण हैदराबाद के पंचपट को प्रकाशित करती है जो केन्द्रीय सरकार को 18-1-94 को प्राप्त हुआ था।

[संख्या एल-22012/46/89-आई प्रार (सी-II)]

राजा लाल, डेस्क अधिकारी

New Delhi, the 24th January, 1994

S.O. 615.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal Hyderabad as shown in the Annexure, in the industrial dispute between the employers in relation to the management of S.C.C. Ltd., and their workmen, which was received by the Central Government on 18-1-94.

[No. L-22012/46/89-IR C.II]

RAJA LAL, Desk Officer

ANNEXURE

BEFORE THE INDUSTRIAL TRIBUNAL AT
HYDERABAD

Present :

Sri Y. Venkatachalam, M.A., B.L., Industrial Tribunal-I.

Dated : 7th day of January, 1994

INDUSTRIAL DISPUTE NO. 74 OF 1989

BETWEEN

The Workmen of S.C. Co. Ltd., Area-I, Ramagundam
Division, P.O. Godavarikhani. .. Petitioner

AND

The Management of S.C. Co. Ltd., Area-I, Ramagundam
Division, P.O. Godavarikhani .. Respondent

Appearances :

Sri B. Ganga Ram, Representative for the Petitioner.

M/s. K. Srinivasa Murthy & G. Sudha, Advocates for
the Respondent.

AWARD

The Government of India, Ministry of Labour, by its Order No. L-22012(46)/89-IR(C.U) dt. 28-9-1989 referred the following dispute under Section 10(1)(d) (2A) of the Industrial Disputes Act, 1947 between the management of M/s. Singareni Collieries Company Limited, Area-I, Ramagundam Division and their workmen to this Tribunal for adjudication :

"Whether the action of the management of M/s. Singareni Collieries Company Limited, Area-I, Ramagundam Division, P.O. Godavarikhani, Dist. Karimnagar (AP) in denying Cat. IV promotion to Sri Anumala Veeraswamy, Pump Operator Cat. III, GDK 5 Incline, is justified? If not, to what relief the workman concerned is entitled?"

This reference was registered as Industrial Dispute No. 74 of 1989 and notices were served on both the parties.

2. The Petitioner-workmen filed their claims statement and the Respondent-Management filed their counter. W.W.1 was examined on behalf of the Petitioner-Workman and marked Exs. W1 to W6. On 16-11-1993 it is reported by both sides that the matter is going to be settled outside the Court, for filing joint memo posted to 25-11-1993. On 7-1-1994 the Respondent filed Memo enclosing Settlement. The representatives of the Petitioner agreed for the same. Joint Memo filed.

3. Joint Memo dt. 15-12-1993 filed by the counsel of the Respondent Management requesting to pass an Award in terms of the settlement dt. 24-11-1993 was allowed and the compromise filed by the parties was recorded. When both the parties had compromised the matter among themselves and out of the Court, this Tribunal is of the opinion that the terms of compromise entered into by them are fair and proper and in their own interest, and it is recorded. Hence an Award in terms of the compromise dated 24-11-1993 is passed and a copy of it is annexed to this Award.

Typed to my dictation, given under my hand and the seal of this Tribunal, this the 7th day of January, 1994.

Y. VENKATACHALAM, Industrial Tribunal-I

Appendix of Evidence

Witnesses Examined for Petitioner :	Witnesses Examined for Respondent :
W.W1 A. Veeraswamy.	NIL

Documents marked for the Petitioner:

Ex. W1 13/19-2-81—Circular from G. M. Coordination, Kothagudem regarding implementation of settlement dt. 29-1-81 entered into with four unions.

429 G/1/94-11.

Ex. W2 18-8-88—Office order promoting from Pump Operations from Cat. III to Cat. IV.

Ex. W3 10-4-87.—Representation of Union, regarding A. Veeraswamy's promotion to Cat. IV.

Ex. W4 8-7-88—Representation of Union with the A.L.C. (C) raising dispute in conciliation proceedings addressed to the Assistant Labour Commissioner (Central), Mancherial.

Ex. W5 9-1-88—Minutes of conciliation proceedings signed by the Union and the Management before A.L.C. (C).

Ex. W6 27-1-88. Failure report of conciliation proceedings addressed to Secretary, Government of India, Ministry of Labour, New Delhi.

Memorandum of Settlement arrived at on 24-11-1993 between the Management of Singareni Collieries Company Limited, Ramagundam Area-I, Godavarikhani and their workman represented by the Central Vice-President, Singareni Collieries Worker's Union (AITUC) Godavarikhani, at the Office of the General Manager, Ramagundam Area-I, SCCL, GDK

Representing Management

Representing Union

- | | |
|--|---|
| 1. Sri N. K. Pathak,
Dy. CME, Gdk No. 5A
Incs. | Sri Y. Gattaiiah, Central Vice-
President, The Singareni Col-
lieries Worker's Union
(AITUC), Godavarikhani. |
| 2. Sri A. Pulla Reddy,
Dy. Chief Personnel Mana-
ger, Ramagundam Area-I,
Gdk. | |
| 3. Sri V. Datta Prasada Rao,
Dy. Personnel Manager,
Ramagundam Area-I, Gdk. | |

The Secretary, Central Council, Singareni Collieries Worker's Union (AITUC), Godavarikhani, vide his letter No. SC/RG/26/87/260, dated 2-9-1987 raised a dispute before the Asst. Labour Commissioner (Central), Hyderabad, demanding to place Sri Anumala Veera Swamy, Pump Operator, Gdk No. 5 Incline, in Category-IV. The dispute ended in failure during the course of Conciliation as there were no vacancies of Category-IV Pump Operators at Gdk No. 5 Incline. Subsequently, the dispute was referred to the Industrial Tribunal (Central), Hyderabad for adjudication and the same was registered as I.D. No. 74/1989. During the pendency of the dispute before the Industrial Tribunal (C), Hyderabad, the Union submitted several representations requesting the Management to consider the case of Sri Anumala Veera Swamy. In view of the frequent representations of the Union, the Management reviewed the position and also the distribution of the Pump Operators at Gdk No. 5 Incline. An understanding has been reached on the following terms :—

TERMS OF SETTLEMENT

1. Management agreed to place Sri Anumala Veera Swamy, Pump Operator, Gdk No. 5 Incline, in Category-IV with effect from 1-3-1989.
2. The arrears payable to the workman consequent upon the placement in Category-IV will be paid within a period of three months.
3. Both the parties agreed to file a copy of the Minutes of the discussions before the Hon'ble Industrial Tribunal (Central), Hyderabad, praying the Hon'ble Tribunal to pass the Award in I.D. No. 74/1989, accordingly.

SIGNATURES OF THE PARTIES

REPRESENTING MANAGEMENT :

(N. K. PATHAK)

(Y. GATTIAH)

REPRESENTING UNION

(A. PULLA REDDY)
(V. DATTA PRASADA RAO)
Godavarikhani,
Dated : 24-11-1993.

नई दिल्ली, 7 फरवरी, 1994

का.भा. 616 :—केन्द्रीय सरकार राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियम, 1976 के नियम 10 के उपनियम (4), के अनुसरण में श्रम न्यायालय के अधीन कर्मचारी भविष्य निधि संगठन, नई दिल्ली के उप क्षेत्रीय कार्यालय, ओरंगाबाद जिल्हे 80 प्रतिशत से अधिक कर्मचारियों ने हिन्दी का कार्यमाध्यम ज्ञान प्राप्त कर लिया है, को एम्बुडाना अधिसूचित करता है।

[नं. ई-11011/1/93-रा.भा.नं.]

इन्द्र सिंह, अवर सचिव

New Delhi, the 7th February, 1994

S.O. 616.—In pursuance of sub-rule (4) of Rule 10 of the Official Language (use for official purposes of the Union) Rules, 1976, the Central Government hereby notifies the Sub Regional office of Employees Provident Fund Organisation, New Delhi situated at Aurangabad under the Ministry of Labour where more than 80 per cent of staff have acquired working knowledge of Hindi.

[No. E-11011/1/93-HA.I.]
INDER SINGH, Under Secy.

नई दिल्ली, 8 फरवरी, 1994

का.भा. 617 :—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) का धारा 17 के अनुसरण में केन्द्रीय सरकार कोशी क्षेत्रीय ग्रामीण बैंक के प्रबंधन के संबंध निरोधकों और उनके कर्मचारियों के बीच अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण भनबाद के पंचपट को प्रकाशित करता है, जो केन्द्रीय सरकार को 7-2-94 को प्राप्त हुआ था।

[संख्या एन-12011/10/91-आई प्रार (बी-3) आई एरबी-1]
एस.एस. के. राव, डेस्क अधिकारी

New Delhi, the 8th February, 1994

S.O. 617.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Dhanbad as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Kosi Kshettriya Gramin Bank and their workmen, which was received by the Central Government on the 7-2-94.

[No. I-12011/40/91-IR(B.3)/IR.B.I.]
S. S. K. RAO, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. I, DHANBAD

In the matter of a reference under Sec. 10(1)(d) of the Industrial Disputes Act, 1947.

Reference No. 154 of 1991

Parties :

Employers in relation to the management of Kosi Kshettriya Gramin Bank.

AND

Their Workmen

Present :

Shri P. K. Sinha, Presiding Officer.

Appearances :

For the Employers : Shri S. Paul, Advocate.

For the Workmen : None.

STATE : Bihar

INDUSTRY : Banking

Dated, the 20th January, 1994

AWARD

By Order No. L-12011/40/91-I.R.(B-3) dated 19-12-91 the Central Government in the Ministry of Labour, has, in exercise of the powers conferred by clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal :

2. After receipt of the order of reference the parties filed their respective written statements. Some adjournments were given to the workmen for filing rejoinder.

3. Thereafter by a petition dated 26-6-93 the concerned workmen prayed before this Tribunal to withdraw their case since they had decided not to proceed with the reference case further.

4. Therefore, I find that there exists no dispute between the parties. In the circumstance, I hereby pass a 'no dispute award' in the present case.

P. K. SINHA, Presiding Officer

अनुसूची

कोशी क्षेत्रीय ग्रामीण बैंक के प्रबंधन द्वारा श्री ए. रहमान एवं उनके अन्य साथियों (सूची संलग्न) की एक दिन (4-8-90) के बिग मजबूरी में कटौती जायज है। अगर नहीं, तो वे सभी किस अनुतोप के हकदार हैं।

क्रमांक	नाम	स्थापना की जगह
1.	श्री ललित कुमार मिश्र	प्रधान कार्यालय पुर्णिया
2.	श्री शशिभूषण प्रसाद	-वही-
3.	श्री शम्भु शरण	-वही-
4.	श्री बिलोकी प्रसाद कैयरी	-वही-
5.	श्री मनोज कुमार मिश्र	-वही-
6.	श्री अशोक रहमान	-वही-
7.	श्री सुरेश प्रसाद	-वही-
8.	श्री पी. के. मोरारिवाल	-वही-
9.	श्री सी. एन. दाग	-वही-
10.	श्री कर्णेश्वर मिश्र	-वही-
11.	श्री टी. के. घोष	-वही-
12.	श्री मुनिज कुमार सिन्हा	-वही-
13.	श्री एस. सी. दास	-वही-
14.	श्री उमेश प्रसाद	-वही-
15.	श्री ओ. महसिन अर्वा	-वही-
16.	श्री नरेश कुमार शोस	रोहारा शाखा
17.	श्री निर्मल प्रसाद शाह	जार शाखा
18.	श्री विजय कुमार सिन्हा	अधेपुरा शाखा
19.	श्री प्रकाश कुमार सिन्हा	अधेपुरा शाखा
20.	श्री अशोक कुमार अम्बरवा	मोहासली शाखा
21.	श्री प्रार. प्रार. राजीव	मोहासली शाखा
22.	श्री उमेश कुमार मिश्र	नैनी शाखा

(एस. के. चौधरी)

पटना

रक्षात्मक श्रमायुक्त (केन्द्रीय)

नई दिल्ली, 8 फरवरी, 1994

का. भा. 618—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार रांची क्षेत्रीय ग्रामीण बैंक, के प्रबन्धन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, धनबाद के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 7-2-94 को प्राप्त हुआ था।

[संख्या एल-12012/82/91-आईआर (बी-3)/आईआर बी-I]

एम. एस. के. राव, डेस्क अधिकारी

New Delhi, the 8th February, 1994

S.O. 618.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Dhanbad as shown in the Annexure in the industrial dispute between the employers in relation to the management of Ranchi Kshetriya Gramin Bank and their workmen, which was received by the Central Government on the 7-2-94.

-No. L-12012/82/91-IR(B-3)/IRB-I]
S. S. K. RAO, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1, DHANBAD

In the matter of a reference under section 10(1)(d) of the Industrial Disputes Act, 1947.

Reference No. 62 of 1991

Employers in relation to the management of Ranchi Kshetriya Gramin Bank.

AND

Their Workmen

PRESENT :

Shri P. K. Sinha,
Presiding Officer.

APPEARANCES :

For the employer : None.

For the workmen : None.

STATE : Bihar

INDUSTRY : Banking.

Dated, the 18th January, 1994

AWARD

By Order No. L-12012/82/91-IR(B-3) dated 31-5-1991 the Central Government in the Ministry of Labour, has in exercise of the powers conferred by clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal:

"Whether the action of the Management of Ranchi Kshetriya Gramin Bank, Ranchi is justified in terminating the services of Sri Mani Nath Dubey, Sweeper-cum-Messenger, with effect from 2-1-86? If not, to what relief the workman is entitled to?"

2. After receipt of the order of reference the parties filed their respective written statements, rejoinders and documents in this case. Thereafter the case was fixed for hearing and on the prayer of the parties adjournments were also given to them.

3. Thereafter by a petition dated 31-8-1993 the concerned workman prayed before this tribunal to withdraw his case
429 GI'94—12.

Since the management of Ranchi Kshetriya Gramin Bank, Ranchi had agreed to re-appoint him in the bank service and as per bi-lateral talks, the management had initiated the process of appointment.

4. Therefore, I find that there exists no dispute between the parties. In the circumstances, I hereby pass a 'no dispute award' in the present case.

P. K. SINHA, Presiding Officer

नई दिल्ली, 8 फरवरी, 1994

का. भा. 619—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार रांची क्षेत्रीय ग्रामीण बैंक, रांची के प्रबन्धन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, धनबाद के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 7-2-94 को प्राप्त हुआ था।

[संख्या एल-12012/93/91-आईआर (बी-3)/आईआर बी. -I]

एम. एस. के. राव, डेस्क अधिकारी

New Delhi, the 8th February, 1994

S.O. 619.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Dhanbad as shown in the Annexure in the industrial dispute between the employers in relation to the management of Ranchi Kshetriya Gramin Bank, Ranchi and their workmen, which was received by the Central Government on the 7-2-94.

[No. L-12012/93/91-IR(B-3)/IRB-I]

S. S. K. RAO, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1, DHANBAD

In the matter of a reference under Section 10(1)(d) of the Industrial Disputes Act, 1947.

Reference No. 61 of 1991

PARTIES :

Employers in relation to the management of Ranchi Kshetriya Gramin Bank, Ranchi.

AND

Their Workmen.

PRESENT :

Shri P. K. Sinha,
Presiding Officer.

APPEARANCES :

For the employers : None.

For the workmen : None.

STATE : Bihar

INDUSTRY : Banking.

Dated, the 18th January, 1994

AWARD

By Order No. L-12012/93/91-IR(B-3) dated 3/4-6-91 the Central Government in the Ministry of Labour, has, in exercise of the powers conferred by clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this tribunal:

"Whether the action of the Management of Ranchi Kshetriya Gramin Bank, Ranchi, is justified in ter-

minating the services of Smt. Mukta Roy, Sweeper-cum-Messenger from 16-9-1985 ? If not, to what relief the workman is entitled to ?”

2. After receipt of the order of reference the parties filed their respective written statements, rejoinders and documents in this case. Thereafter the case was fixed for hearing and on the prayer of the parties several adjournments were also given to them.

3. Thereafter by a petition dated 2-9-93 the concerned workman prayed before this Tribunal to withdraw his case since the management of Ranchi Kshetriya Gramin Bank, Ranchi had agreed to re-appoint him in the bank service and as per bi-lateral talks the management had initiated the process of appointment.

4. Therefore, I find that there exists no dispute between the parties. In the circumstances, I hereby pass a ‘no dispute award’ in the present case.

P. K. SINHA, Presiding Officer

नई दिल्ली, 9 फरवरी, 1994

का. अ. 620.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसूचन में, केन्द्रीय सरकार स्टेट बैंक आफ पटियाला के प्रबंधक के संबंधित नियोजकों और उनके कर्मचारियों के बीच, अनुबंध में निहित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिनियम, 1947 के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 9-2-94 को प्राप्त हुआ था।

[संज्ञा अ. 12011/10/85-डी-II (ए)/आई आर-बी आई]

एन. एन. के. राव, डेस्क अधिकाारी

New Delh, the 9th February, 1994

S.O. 620.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Chandigarh as shown in the Annexure, in the industrial dispute between the employers in relation to the management of State Bank of Patiala and their workmen, which was received by the Central Government on 9-2-1994.

[No. L-12011/10/85-D.II(A)/IR B-I]

S. S. K. RAO, Desk Officer

ANNEXURE

BEFORE SHRI ARVIND KUMAR, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, CHANDIGARH

Case No. I. D. 25/89

G. D. Grover Vs. State Bank of Patiala

For the workman—Shri Hardyal Singh.

For the management—Shri P. S. Arora.

AWARD

Central Government vide Gazette Notification No. L-12011/10/85-D.II (A) 17-12-85 issued U/S 10(1)(d) of I. D. Act 1947 referred the following dispute to this Tribunal for adjudication :

“Whether the action of the State Bank of Patiala in imposing the penalty of stoppage of two increments on Shri G. D. Grover, Clerk-cum-Typist in their Rajpura Branch is justified ? If not, to what relief he is entitled to ?”

2. The brief facts as enumerated in the statement of claim that his transfers were made in an unprecedented manner and against transfer policy and norms. He has been transferred on a number of times from 1976 to 1981. He further alleged that in order to harass and victimise him he was served charge sheet and ultimately the punishment of stoppage of two graded annual increments was imposed. He was not afforded proper opportunity during the course of

enquiry. Enquiry was held against the provisions of law. Action of the bank was illegal, malafide and unjustified. He has thus sought the setting aside of the said punishment and restoration of said two increments with all benefits with retrospective effect alongwith cost.

3. The management resisted the claim. In the written statement the preliminary objection has been taken that the present dispute does not relate to dismissal or discharge and therefore, this Court has no jurisdiction to entertain U/S 11-A with the punishment of stoppage of two increments awarded to him. The management has referred the case of one S. C. Bansal wherein the Hon' High Court has held that stoppage of some of the increments because of misconduct of an employee could not be treated as an Industrial Dispute. On merits the plea of the management that infact the petitioner was served with charge sheet for serious misconduct committed by him. The punishment of stoppage of two increments was imposed vide order dated 26-8-1983. However this was done after complying with the provisions of Bipartite Settlement. Proper enquiry was held. The petitioner was afforded full opportunity to defend himself. He was also afforded opportunity to show cause before the imposing of the punishment and thus the management sought the dismissal of this reference.

4. The petitioner filed his affidavit Ex W-1 in evidence. MW-1 R. C. Kampani is the management's witness. He filed his affidavit Ex. M-1. The management has not placed enquiry proceedings on the record. The only document placed on the record is the tentative decision of the disciplinary authority, show cause notice, reply to the show cause notice, and order of punishment. The respective parties closed their evidence.

5. I have heard both the parties, gone through the evidence and record.

6. The respondent management has withheld the enquiry proceedings the same has not been filed in the Court for the purpose of appreciation of the fairness of the enquiry. Two documents filed by the management the tentative decision of the disciplinary authority and show cause notice it can only be derived that some incident had taken place on 18-6-1980 wherein the petitioner was alleged to have used hard words in insulting language against Shri K. S. Walia Manager in presence of branch staff. He also alleged to have used insulting language against Shri L. D. Anand accountant of the bank, “that you people are touts of the management and I shall see later on” for which he was charge sheeted on 5-8-1981. The petitioner filed reply to the charge sheet on 10-9-1981 and the petitioner was subjected to departmental enquiry. Enquiry Officer stated to have filed the enquiry report on 6-9-1982 on the basis of which the petitioner was conveyed the tentative decision on 6-7-1983 followed by show cause notice dated 18-7-1983. The petitioner stated to have filed reply to the show cause notice on 5-8-1983 followed by final order of punishment dated 26-8-1983. After having perused the tentative decision by the disciplinary authority placed on the record it becomes clear that the disciplinary authority had not fully agreed to the findings of the enquiry officer. The relevant portion is reproduced as under :

“I agree with the Enquiry Officer who held that some sort of incident did take place on 18th June 1980 and that the balancing of ledgers was pending with Shri Grover on the 18th June 1980, but I differ with his findings in respect of remaining portion of charge that Shri Grover insulted and used hard words in insulting language against Shri K. S. Walia manager in the presence of the constituents of the branch and branch staff and uttered to him. “No I would not go. Do whatever you like” and that Shri Grover also used insulting language against Shri L. D. Anand and remarked “you people are touts of the Manager and I shall see later on.”

Subsequently the disciplinary authority also observed on the following page as under :

“In view of the foregoing as also the facts that Shri Grover was not sitting on his seat at the time of occurrence of the incident on the 18th June 1980 and the balancing of ledgers was pending with him at that time, I hold the entire

charge as set out in the charge sheet dated 5th August 1981 as proved against Shri Grover".

After perusing the same it is abundantly clear that the disciplinary authority had not agreed to the findings of the enquiry officer in respect of the remaining portion of the charges with regard to insulting Shri K. S. Walia the manager and as well Mr. L. D. Anand the accountant. What left under consideration for the disciplinary authority before the punishment was imposed that on the said date i.e. 18-6-1980 the balancing of the ledgers was pending with the petitioner. Since it was only the consideration for imposing punishment then it was not required for the disciplinary authority to hold that the entire charge as set out in the charge sheet dated 5-8-1981 is proved against the petitioner having disbelieved some of the charges of using insulting language against Shri K. S. Walia the manager and L. D. Anand, the accountant. The petitioner has also not shown through out the proceedings that in what way he was not afforded proper opportunity to defend his case during the course of enquiry or in which way the enquiry was not held in accordance with law.

7. In nut shell the only charge left against the petitioner that on 18-6-1980 the work on balancing of ledgers was pending with the petitioner for which the punishment of stoppage of two annual graded increments with cumulative effect is certainly disproportionate to the charge. Such misconduct could be punished with only minor penalty. The cumulative effect has to effect over the entire service career of the workman and there is permanent loss, and at the end of the service the cumulative loss would run into a very large figure and it would also effect the pensionary benefits. Therefore, punishment of stoppage of increments with cumulative effect is to be imposed after careful consideration and application of mind to the resultant total consequence and not a matter of routine. The petitioner has also suffered a agony of more than 10 years facing departmental proceedings and then the Court proceedings. The present Act is a beneficial piece of legislation enacted in the interest of the employees. In construing the provisions of a welfare legislation, Courts should adopt a beneficial rule of construction. If two constructions are reasonably possible, the construction which furthers the policy and object of the Act and is more beneficial to the employees, has to be preferred.

8. Thus taking over all view of the matter it is ordered that punishment of stoppage of two increments with cumulative effect is substituted with stoppage of two increments without cumulative effect. Necessary arrears be paid to the workman within three months from the publication of this Award.

9. In a way reference is answered accordingly.

Chandigarh,

ARVIND KUMAR, Presiding Officer

Dated 21-1-1994.

नई दिल्ली, 9 फरवरी, 1994

अभिप्रेतना

का. आ. 621.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अधिनियम में, केन्द्रीय सरकार स्टेट बैंक आफ इण्डिया के प्रबंधन के संबंध में नियंत्रकों और उनके कर्मचारियों के बीच अनुबंध में निहित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक प्रतिक्रिया, जल्दीय के पंचपद को प्रभावित करती है, जो केन्द्रीय सरकार को 9-2-94 को प्राप्त हुआ था।

[संख्या एन-12012/278/88-डी-III (ए)/आई आर सी-1)]

एस.एस.के. राव, डेस्क अधिकारी

New Delhi, the 9th February, 1994

S.O. 621.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Chandigarh as shown in the Annexure, in the industrial dispute between the employers in relation to the management of State Bank of Patiala and their workmen, which was received by the Central Government on the 9-2-94

[No. 12012/278/88-D.III(A)/I.R.B-I]

S. S. K. RAO, Desk Officer.

ANNEXURE

BELLORE SHRI ARVIND KUMAR, PRESIDING OFFICER,
CENTRAL GOVT., INDUSTRIAL TRIBUNAL-CUM-
LABOUR COURT, CHANDIGARH

Case No. I.D. 100/89

Swaran Singh Vs. State Bank of Patiala
for the workman.—Shri Ved Parkash Sharma.
For the management.—Shri N. K. Zaklami.

AWARD

Central Govt. vide gazette notification no. L-12012/278/88-D.III(A) dated 1-6-1989 issued U/S 10(1)(d) of I.D. Act 1947 referred the following dispute to this Tribunal for adjudication :—

"Whether the action of the management of State Bank of Patiala in not giving an opportunity for further employment to Sh. Swaran Singh, Watchman as required under Section 25-H of the I.D. Act is justified? If not, to what relief, the workman concerned is entitled to?"

2. Case of the petitioner as set out in the claim statement that he had worked as watchman-cum-peon from 18-6-1984 to 14-9-1984, at Bassi Pathana and from 6-1-1987 to March 1987 and 11-3-1987 to 25-4-1987 at Chowk Fort Patiala. He was employed against permanent post and his conduct during the course of employment was quite satisfactory. He was never charge sheeted during the course of employment. His services were illegally terminated in violation of Sastri Award para 495, 508, 516 and 522 read with Desai Award and Bipartite Settlement. The management employed large number of persons after the termination of his service but he was not given re-employment. Therefore, the management has violated the provisions of Section 25-H of the Industrial Disputes Act 1947. He remained unemployed through out. He has thus sought the reinstatement with all attendant benefits and backwages.

3. The management in their written statement has taken preliminary objection that the reference is bad for non-joinder and mis-joinder of parties. Further stand of the management that the petitioner never completed 240 days during the period of 12 calendar months preceding to the date with reference to which the calculation is to be made. Case of the petitioner is not covered U/S 25-B read with Section 25-FG&H of the Industrial Disputes Act 1947. The reference is bad in law. On merits the plea of the management that the employment of the petitioner was temporary from 18-6-1984 to 14-9-1984 and from 11-3-1987 to 24-4-1987. He was engaged for specific period and his contract was not renewed after expiry of the specific period. Therefore, non-renewal of contract does not amount to retrenchment. Further stand of the management that they have not violated the provisions of Section 25-F of the Industrial Disputes Act having appointment of the petitioner was only for specific period. It is further pleaded that in order to afford an opportunity the bank had invited applications through leading Newspapers and Bank's circular No. Per/103 of 1985. Those who had applied in response to the Newspapers advertisement were interviewed from 1-12-1987 to 11-12-1987 in order to prepare a panel for offering appointments as per availability of vacancies. The interview committee considered various factors like length of service in the bank, academic qualification etc. The petitioner Swaran Singh was also called to appear in the interview but he could not qualify the same. Therefore, he was not kept on the panel of successful candidates. In view of this he was given full opportunity for consideration in the service of the bank and thus the management sought the dismissal of this reference.

4. Replication was also filed reasserting the claim made in the statement of claim.

5. The petitioner filed his affidavit Ex. W1 in evidence. In cross-examination he admits that his appointment was for three months in the year 1984 from 18-6-1984 to 14-9-1984. Further in the year 1987 he was given employment from 11-3-1987 to 24-4-1987. MW1 Paramjit Singh Deputy Manager is the management's witness. He filed his affidavit Ex. M1. The respective parties closed their evidence.

6. I have heard both the parties, gone through the evidence and record.

7. The learned counsel appearing on behalf of the petitioner has argued that appointment of the petitioner was not for specific period and his termination is illegal. He has also pointed out that large number of persons have been employed by the management after the termination of services of the petitioner and thus the management has violated the provisions of Section 25-H of the Industrial Disputes Act 1947 and sought the reinstatement with backwages. There is no force in the contention raised by the counsel for the petitioner. The petitioner in his own showing has admitted in cross-examination that his appointment was for fixed period from 18-6-1984 to 14-9-1984 and thereafter from 11-3-1987 to 24-4-1987. The provisions of Bipartite Settlement are applicable to the banking industry. Para 20.8 of the said Bipartite Settlement dated 19-10-1966 which is relevant to the present case is reproduced below :—

"20.8 A temporary workman may also be appointed to fill a permanent vacancy provided that such temporary appointment shall not exceed a period of three months during which the bank shall make arrangements for filling up the vacancy permanently. If such temporary workman is eventually selected for filling up the vacancy the period as such temporary employment will be taken into account as part of his probationary period."

8. It is therefore apparent that the management is within its competence to appoint temporary workman to fill the permanent vacancy provided that such temporary employment does not exceed three months during which period the bank was required to make arrangement to fill the vacancy permanently. It appears that this provision for appointment of temporary workman has been made keeping in view of the peculiar nature of the functions of the bank which are customer oriented and there could be wide fluctuation in the volume of work on day to day basis. The joining of the petitioner itself for said specified period amounts to giving acceptance.

9. The petitioner admits in cross-examination that his appointment was only for the three months in the year 1984 i.e. from 18-6-1984 to 14-9-1984. Further in the year 1987 he was given employment from 11-3-1987 to 24-4-1987. Thus on both occasion employment of the petitioner was for a fixed tenure. Clause (bb) of Sub Section (oo) of Section 2 of the Industrial Disputes Act is effective from 18-8-1984. It is remedial provision prospective in nature and apply only to those terminations which takes place after the provision was brought to statute book. It provides that the termination of service of the workmen as a result of non-renewal of contract of employment between the management and the workman concerned on its expiry or of said contract being terminated in terms of a stipulation, shall not constitute retrenchment. Therefore, being the petitioner having worked for specified period as said above and the termination had taken effect after 18-8-1984 it has to be held that termination of the services of the petitioner squarely covered by the exclusion clause of Section 2(oo) (bb) of the Industrial Disputes Act, 1947 and hence the said action would not amount to retrenchment and the management has not violated the provisions of Section 25-F of the Industrial Disputes Act 1947. The clause (bb) of Section 2(oo) of the Industrial Disputes Act 1947 has held to be valid and constitutional in the case of Terminated Full Time L.I.C. Employees' Vs. Sr. Divisional Manager reported in 1993 (2) S.C.T. page 581(F.B.) and Raj Bahadur Vs. General Manager Food Specialities Ltd. Moga reported in 1991 (1) PLR page 631.

10. Counsel for the petitioner has further alleged violation of Section 25-H of the Industrial Disputes Act 1947 which is meritless legally as well as factually. As held in K. Rajan and other Vs. Kerala State Electricity Board reported in 1992 Lab. I.C. page 1208 the workman can claim violation of Section 25-H only if validly retrenched. Further under sub section (bb) thereof retrenchment does not include termination of services of a workman as a result of non renewal of contract of employment between the employer and the workman concerned on its expiry of the said contract being terminated in terms of stipulation on that behalf

contained therein. Therefore, he can not claim any benefit U/S 25-H of the Industrial Disputes Act, 1947. Similarly the case of the petitioner fallen U/S 2(oo) (bb) of the Industrial Disputes Act 1947 which does not include termination of service of a workman as a result of non-renewal of contract of workman obviously provisions of Section 25-H would not attract.

11. Even factually the petitioner in his pleadings or in his evidence has not stated as to which person the management had given employment and when the said employment had taken place. There is also no evidence that the post still existed after the termination of service of the petitioner. The petitioner is heavily burdened to prove the same but there is complete silence in this regard. The respondent management as apparent from the affidavit of MW1 Paramjit Singh that in order to give one time opportunity to all ex-temporary employees to had worked for 90 days or more in subordinate cadre after 1-1-1982 for their permanent absorption in the Bank, the Bank had invited applications from all such ex-temporary employees through advertisements in leading newspapers. Those who had applied to the bank in response to the Newspapers advertisement interviewed from 1-12-1987 to 11-12-1987 and the candidates found suitable by the interview committee were offered appointments in the bank. The petitioners does not rebut this. He in cross-examination admits that there was a advertisement in the year 1986 and 1988 and he had not applied for the post. However stand of the management that the petitioner did apply for the post but he was not found suitable by the interview committee and thus was not offered employment in the Bank. This position has also not been contraverted by the petitioner in the cross-examination of the management's witness. Therefore, there is no violation of Section 25-H of the Industrial Disputes Act 1947 as the management had sufficiently complied with the same.

12. Hence nothing survive in the proceedings initiated by the petitioner and he is not entitled to any relief what-so-ever. In a way reference is answered accordingly.

Chandigarh.

22-1-1994.

ARVIND KUMAR, Presiding Officer

नई दिल्ली, 9 फरवरी, 1994

का. प्र. 622.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार स्टेट बैंक ऑफ पटियाला, के प्रबन्धतंत्र के संसद नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निश्चित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, कण्ठीगढ़ के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 9-2-94 को प्राप्त हुआ था।

[संख्या एल-12012/345/86-डी-II (ए)/घाई धार बी. घाई]

एस. एस. के. राव, डेस्क अधिकारी

New Delhi, the 9th February, 1994

S.O. 622.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Chandigarh as shown in the Annexure in the industrial dispute between the employers in relation to the management of State Bank of Patiala and their workmen, which was received by the Central Government on the 9-2-94.

[No. L-12012/345/86-D.II(A)/I.R.B.I]

S. S. K. RAO, Desk Officer

ANNEXURE

BEFORE SHRI ARVIND KUMAR, PRESIDING OFFICER,
CENTRAL GOVT., INDUSTRIAL TRIBUNAL-CUM-
LABOUR COURT, CHANDIGARH

Case No. I.D. 45/87

I. K. Behal Vs. State Bank of Patiala
For the Workman—Shri Tek Chand Sharma

For the Management.—Shri P. S. Arora,

AWARD

Central Govt. vide gazette notification No. L-12012/345/86-II(A) dated 26th June, 1987 issued U/S 10(1)(d) of I.D. Act 1947 referred the following dispute to this Tribunal for adjudication :—

“Whether the action of the management of State Bank of Patiala in relation to their Gill Road Branch, in dismissing Shri I. K. Behal w.e.f. 6-1-86 is justified ? If not, to what relief is the workman entitled ?”

2. Brief facts of the case that the petitioner an employee of the respondent bank was placed under suspension and ultimately dismissed from service on 6-1-1986 on the charge that he fraudulently obtained blank debit slip, deposit slip in the name of Teja Singh saving bank holder (S.B. Account, No. 1705 L/F 78/13) subsequently converted the debit slip into the debit voucher for Rs. 8000, withdrawing the amount of said saving bank account on the basis of special term deposit voucher, opening a special term deposit account No. 478-S, in the name of Teja Singh by forging his signatures in English on the document viz. relative term deposit pay-in-slip, specimen signature card and term deposit account opening form and thereafter received the payment of said special term deposit account by putting the signatures of said Teja Singh on the back of the relative special term deposit receipt. The grievance of the petitioner that the dismissal order has been passed against him is illegal and bad in law on the ground that the charge sheet was wrong and fabricated. His reply to the charge sheet was not considered by the competent authority. Appointment of the enquiry officer was not proper. He was allowed to be defended by T. C. Sharma in the enquiry by the enquiry officer Mr. M. R. Aggarwal and upon his death the subsequent enquiry officer Mr. M. D. Sharma did not allow him to be defended by the said T. C. Sharma. He was only allowed to be defended only on the intervention of the A.L.C. (C), Chandigarh. His further grievance is that he was not allowed to examine the documents. The enquiry officer did not record the proceedings in accordance with the procedure. Defence witnesses called were not allowed by the enquiry officer and evidence of one G. K. Supra was not allowed though his name was given as one of the defence witness. Enquiry officer was biased having under the direct administrative control of the charge sheeting authority. His confession dated 4-2-1982 was obtained under coercion and not entered in the dak register of the branch. The disciplinary authority did not apply its mind to the facts of the case and he did not consider the reply filed by him. Dismissal order is passed in violation of the settled law. The enquiry officer has not considered evidence of the management's witnesses. The disciplinary authority was not competent to inflict the punishment because the appointment of the disciplinary authority was not made in accordance with the provisions of law. He was not given opportunity to defend himself and personal hearing was not given. Thus he sought the reinstatement with full back wages and continuity of service.

3. The management in their written statement denied the allegations made by the petitioner in his statement of claim. The stand of the management that the enquiry officer was appointed as per the provisions of the Bipartite Settlement. The reply of the petitioner dated 19-3-1982 to the charge sheet was duly considered. The appointment of the enquiry officer Mr. M. R. Aggarwal (since expired) was made by the General Manager (operation) the competent authority to make the said appointment. The said enquiry officer duly allowed the petitioner to be defended by T. C. Sharma Vice President of State Bank of Patiala Employees National Union subject to the condition that the petitioner would prove that he is a member of the said Union. Upon the expiry of the enquiry officer the subsequent enquiry officer Mr. M. D. Sharma asked the petitioner to produce the proof that he is the member of the National Union. The petitioner did not submit any proof during the enquiry proceedings on 25-8-1982, 27-8-82 and 20-9-1982. The petitioner in the meanwhile was allowed to be defended by another representative Mr. V. K. Mittal who was the General Secretary of the Union till said T. C. Sharma was allowed to defend

the petitioner on the direction of A.L.C. (C), Chandigarh. During the said period four witnesses were examined with the consent of the petitioner which is evident from the facts that they were duly cross-examined by the petitioner. The petitioner was allowed to persued/taken notes of the documents relied upon by the bank as confirmed by the petitioner in his letter dated 25-8-1982. Further plea of the management that G. K. Supra could not come to depose due to his illness despite being given ample opportunity to depose. The petitioner and his representative during the course of the proceedings held on 14-9-1985 themselves considered presence of Shri Supra not necessary. The petitioner had confessed his guilt in his letter dated 4-2-1982. The plea that the confession was got signed under coercion was never taken by the petitioner during the course of the enquiry. The non-entering the letter dated 4-2-1982 in the dak register does not make the letter as illegal. Further stand of the management that Teja Singh deposed at the enquiry that Dharam Pal Gupta got signed from him the debit slip, this gets negatived as he had confessed on seeing the impunged debit slip on the basis of whom the fraud occurred that same was not got signed from him by Mr. D. P. Gupta. The ample opportunity was given to the petitioner during the course of the enquiry and thereafter by the disciplinary authority including to personal hearing. The submission made by the petitioner during the personal hearing on 6-1-1986 was duly considered by the disciplinary authority. The dismissal order passed by the disciplinary authority is in accordance with the provisions of Bipartite Settlement. Thus the management sought the dismissal of this reference.

4. MW1 S. S. Pandey Regional Manager State Bank of Patiala is the management's witness. He filed his affidavit Ex. M1 in evidence. He also relied on the documents Ex. M2 the charge sheet, Ex. M3 the reply to the charge sheet, Ex. M4 findings of the enquiry officer, Ex. M5 the show cause notice, Ex. M6 reply to the show cause notice, Ex. M7 the order dated 5-2-1987 passed in appeal. The petitioner filed his affidavit Ex. W1 in evidence. The management also placed some documents in pursuance of the application of the petitioner for the production of documents. The respective parties closed their evidence.

5. I have heard both the parties, gone through the evidence and record.

6. Main stress in the arguments made by the representative of the workman that the petitioner was not afforded reasonable opportunity to represent his case and enquiry officer was biased. The petitioner was not allowed to defend his case by Mr. T. C. Sharma. The confession of the petitioner was not recorded under coercion. The contentions raised by the representative of the petitioner is meritless. It is settled principle of law that enquiry can not be said to have properly held unless employee proceeded against has been informed clearly of the charges levelled against him, (ii) the witnesses are examined in the presence of the employee in respect of the charges, (iii) employee is given fair opportunity to cross-examine the witnesses, (iv) he is also given fair opportunity to examine witnesses including himself in his defence if he so wishes on any relevant matter and (v) enquiry officer records his findings with reasons for the same in his report.

Ex. M2 the charge sheet, Ex. M4 is the findings of the enquiry officer placed on the record by the management. Undoubtedly the management of a concern has powers to direct its own internal administration and discipline but the powers are not unlimited and when dispute arises, The Tribunal has given the powers to see whether the termination of service of workman is justified and to give proper relief. In case of dismissal or misconduct the Tribunal does not ever act as a Court of appeal and substitutes its the petitioner to know what he is charged with in order case Ex. M2 is the charge sheet. This contains all the relevant particulars which is basis of the charge enabling the petitioner to know what he is charged with in order to defend himself properly. The representative of the petitioner points out that the petitioner was not allowed to be defended by Mr. T. C. Sharma and a great prejudice has been caused to the petitioner. This plea can not be accepted. Initially the enquiry officer Mr. M. R. Aggarwal had allowed the petitioner to be defended by Mr. T. C. Sharma who was then the vice President of State Bank of Patiala

Employees National Union, subject to the condition that the petitioner will produce the proof of his being the member of the said Union. Upon the death of said enquiry officer and subsequently the appointment of M. D. Sharma enquiry officer, the petitioner was asked to produce a proof of his being the member of the said Union. It is only when the petitioner did not submit any proof said Mr. T. C. Sharma was not allowed to defend the petitioner. No prejudice has been caused to the petitioner as the petitioner was allowed to be defended by another representative Mr. V. K. Mittal who was also the General Secretary of the said Union till Mr. T. C. Sharma was allowed to defend the petitioner on the intervention of the A.L.C.(C), Chandigarh. The management had produced as many as 10 witnesses. All of them had duly cross-examined either by the petitioner or his representative Mr. V. K. Mittal General Secretary of the National Union and subsequently by Mr. T. C. Sharma. The petitioner has nowhere shown that prior to the induction of T. C. Sharma as a representative of the petitioner the cross-examination done by the petitioner or by Mr. V. K. Mittal was not adequate. Therefore, there is no question of having caused any prejudice to the petitioner on the point of late induction of Mr. T. C. Sharma as representative of the petitioner.

7. Another plea raised by the representative of the petitioner that the enquiry officer had ignored the evidence of Teja Singh who had deposed that the deposit slip were filled by D. P. Gupta and therefore, the petitioner has no hand in forging the signatures of said Teja Singh. This plea is again meritless on account of his own admission and as well the report of the handwriting expert submitted during the course of enquiry. Ex. M3 is the reply to the charge sheet submitted by the petitioner. The relevant portion is important to be reproduced :—

"The manager had, however, once called me to fill in certain vouchers in his cabin as per usual practice at the branch and gave me a set for opening of a new account. I was asked by the Manager to write the name of depositor in English in appropriate columns and advised me that he will get the signature of depositor, who used to sign in Punjabi appropriately. It is unfortunate and intriguing that the said name of the depositor put by me in English is being made as a forged signatures.

Further as reflected in the findings of the enquiry officer Ex. M4 the report of the handwriting expert Ex. P23 (in the enquiry) that the handwriting of the petitioner and the writing of the petitioner on account opening form, specimen signature card, pay-in-slip and debit vouchers does tally. The plea that the said writing was got written under coercion at the instance of the branch manager can not be accepted being petitioner the senior employee must be fully aware of the implications of forging the signatures of some other person and it can not be expected that he would forge the signatures of other person at the instance of other person when implications or consequences are apparent.

8. Another feature in this case is the admission of the petitioner himself admitting his guilt. His admission dated 4-2-1982 has been placed on the record duly witnessed by S. S. Behmi, Jagdip Singh and S. C. Sarin who were also produced during the course of enquiry duly cross-examined by the petitioner in which he admitted his guilt stating that he signed the debit slip and used that debit slip for a special term deposit for Rs. 8000 in the name of Teja Singh. In the meantime his family circumstances become worse and he needed money and he got premature payment. He also says that he regret what has happened. He also stated that he had already deposited the amount in the saving bank account of Teja Singh the depositor. The plea of the petitioner is that the said confession was not got written under force and coercion. This plea is again can not be accepted for the simple reason that if at all the petitioner had not involved himself in the said affair there were certainly no compelling circumstances and reasons for him to give the said confession. This confession is in clear terms and can not be said to be under coercion especially when it is being witnessed by the other employees of the bank.

9. Another plea raised by the petitioner that the enquiry officer did not act impartially being under the direct administrative control of charge sheeted authority. This plea is again merit less in view of the settled law that the mere fact that the enquiry officer is an employee of the management can not lead to the assumption that he was bound to decide the case in favour of the management and was biased to decide the case in favour of the management. Likewise the fact that the enquiry officer was subordinate to the disciplinary authority would be no ground for holding that he acted mala fide and had biased against the delinquent employee. Thus in the absence of any special bias attributable to a particular officer it can never be held that the enquiry is bad just because it is conducted by an officer of the employer.

10. Another plea raised by the representative of the petitioner that the enquiry has not been conducted in accordance with law. This plea is again not accepted. The domestic enquiry need not to be conducted in accordance with the technical requirements of criminal trial. However they must be fairly conducted, consideration of fair play and natural justice and the same has been done in this case. Merely bunch of bare technicalities can not equate with violation of the principle of natural justice. Ex. W4 is the enquiry report. Every date and the sequence has been there in the said report which consist of 15 pages. The petitioner in his cross-examination has admitted that the regular enquiry was held against him. He participated in all the proceedings. He also admitted that he had cross-examined all the management's witnesses. He was supplied the documents before the starting of the enquiry. He also admitted that the enquiry proceedings were duly recorded in the register and his signatures were obtained on the same. However after perusing the report of the enquiry officer the same is speaking order. The order of the disciplinary authority has also been passed after application of mind. The petitioner has not shown any where that in what way he has been prejudiced. Ex. M7 is the order of appellate authority rejecting his appeal wherein it is clearly stipulated that the petitioner was also given personal hearing on 6-11-1986 before rejecting of his appeal. The appointment of the enquiry officer was duly done by the General Manager (Operation) who is also the appellate authority. Therefore, it can be held that the enquiry has been conducted in all fairness and the workman has been given adequate opportunity to defend his case.

11. In view of the discussions made in the earlier paras, the action of the respondent bank in dismissing from service I. K. Behl is fully justified and workman is not entitled to any relief what-so-ever.

Chandigarh.

3-1-1994.

ARVIND KUMAR, Presiding Officer.

नई दिल्ली, 9 फरवरी, 1994

का. प्रा. 623.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार रांची ग्रामीण बैंक, रांची के प्रबन्धन के संबंध नियोजकों और उनके कर्म के बीच, अनुसूच में विहित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, धनबाद के पंचपट की प्रकाशित करती है, जो केन्द्रिय सरकार को 9-2-94 को प्राप्त हुआ था।

[संख्या एल-12012/81/91—आई आर (बी-3) /आई आर, बी-1]

एस. एस. के. राव, ईस्क अधिकारी

New Delhi, the 9th February, 1994

S.O. 623.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Dhanbad as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Ranchi Kshetriya Gramin Bank, Ranchi and their workmen, which was received by the Central Government on the 9-2-94.

[No. L-12012/81/91-IR.B.I]

S.S.K. RAO, Desk Officer.

ANNEXURE

New Delhi, the 9th February, 1994

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL NO. I, DHANBAD

In the matter of a reference under section 10(1) (d) of
the Industrial Disputes Act, 1947.

Reference No. 65 of 1991

PARTIES :

Employers in relation to the management of Ranchi
Kshetriya Gramin Bank, Ranchi.

AND

Their Workmen

PRESENT :

Shri P. K. Sinha,
Presiding Officer.

APPEARANCES :

For the Employers : None.

For the Workmen : None.

State : Bihar.

Industry : Banking.

New Delhi, dated the 19th January, 1994

AWARD

By Order No. L-12012/81/91-I.R.(B-3) dated 24-6-1991 the Central Government in the Ministry of Labour, has, in exercise of the powers conferred by clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal :

"Whether the management of Ranchi Kshetriya Gramin Bank, Ranchi, is justified in terminating the services of Shri Dago Sahu Alias Rajeshwar Sahu w.e.f. 1-5-85 ? If not, to what relief the workman is entitled to ?"

2. After receipt of the order of reference the parties filed their respective written statements, rejoinders and documents in this case. Thereafter the case was fixed for hearing and on the prayer of the parties some adjournments were given to them.

3. Thereafter by a petition dated 26-8-1993 the concerned workman prayed before this Tribunal to be allowed to withdraw his case since the management of Ranchi Kshetriya Gramin Bank, Ranchi had agreed to re-appoint him in the bank service and as per bi-lateral talks, the management had initiated the process of appointment.

4. Therefore, I find that there exists no dispute between the parties. In the circumstances, I hereby pass a 'no dispute award' in the present case.

P. K. SINHA, Presiding Officer.

नई दिल्ली, 9 फरवरी, 1994

को. घा. 624.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार रान्ची क्षेत्रीय ग्रामीण बैंक, रान्ची के प्रबन्धन के संलग्न नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निहित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, धनबाद के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 9-2-94 को प्राप्त हुआ था।

[गंख्या एन-12012/83/91-आई धार (बी.-3)/आई धार- बी-1]

एस. एस. के. राव, डेस्क अधिकारी

S.O. 624.—In exercise of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Dhanbad as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Ranchi Kshetriya Gramin Bank and their workmen, which was received by the Central Government on the 9-2-94.

[No. L-12012/83/91-IR(B.3)|IR. B.I.]

S. S. K. RAO, Desk Officer.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL NO. I, DHANBAD

In the matter of a reference under section 10(1)(d) of
the Industrial Disputes Act, 1947.

Reference No. 63 of 1991

PARTIES :

Employers in relation to the management of Ranchi
Kshetriya Gramin Bank, Ranchi.

AND

Their Workmen

PRESENT :

Shri P. K. Sinha,
Presiding Officer.

APPEARANCES :

For the Management : None.

For the Workmen : None.

State : Bihar.

Industry : Banking.

New Delhi, the 19th January, 1994

AWARD

By Order No. L-12012/83/91-I.R. (B-3) dated 31-5-1991, the Central Government in the Ministry of Labour, has, in exercise of the powers conferred by clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal :

"Whether the action of the management of Ranchi Kshetriya Gramin Bank, Ranchi, is justified in terminating the services of Shri Pradeep Oraon w.e.f. 1-4-88 ? If not, to what relief the workman is entitled to ?"

2. After receipt of the order of reference the parties filed their respective written statements, rejoinders and documents in this case. Thereafter the case was fixed for hearing and on the prayer of the parties some adjournments were given to them.

3. Thereafter by a petition dated 26-8-1993 the concerned workman prayed before this Tribunal to allow him to withdraw his case since the management of Ranchi Kshetriya Gramin Bank, Ranchi had agreed to re-appoint him in the bank service and as per bi-lateral talks, the management had initiated the process of appointment.

4. Therefore, I find that there exists no dispute between the parties. In the circumstances, I hereby pass a 'no dispute award' in the present case.

P. K. SINHA, Presiding Officer.

